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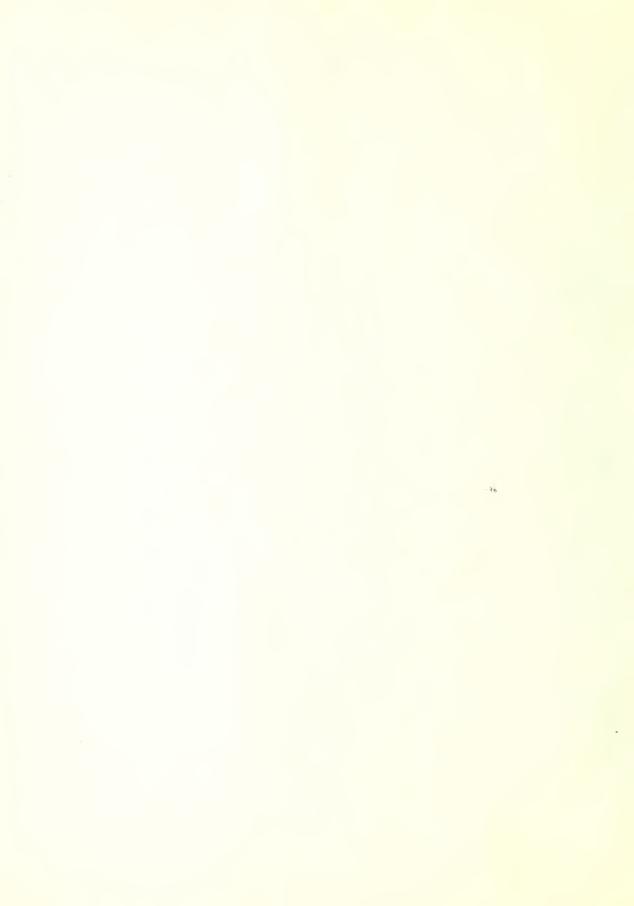


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1 Leg. Bib. N.S.

No. 1, N.S.

BOSTON, MASS.

NOVEMBER, 1894.



LEGAL BIBLIOGRAPHY, NEW SERIES No. 1.

PUBLISHED OCCASIONALLY BY

The Boston Book Company, charles c. soule, President,

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NOTES.

Leg. Bib. — The first series of Legal Bibliography, appearing irregularly through several years, reached its twelfth number, and there stopped, because of dull times. With the revival of business it again appears, in a somewhat different form, as a new series.

The First Series.— Readers of the old Leg. Bib. will remember that in its pages, advertisements of new books, and lists of bargains in old books, were sandwiched between anecdotes and brief comments, with occasionally a notable portrait; or a serious bibliographical article. In another column some of these features are enumerated.

The New Series. — This new series will issue like its ancestor, whenever the publishers please. Its purpose will be to advertise in a cheery and readable way the new and old books they want to sell. To insure interest there will be occasional paragraphs worth perusal, with anecdotes, portraits, perhaps an occasional verse, and whatever else may serve to lighten and vary the monotony of the contents. The wise lawyer will therefore read every word in these pages in the hope of finding something entertaining or instructive.

Subscription Price.—Nothing is charged for this paper. It comes free of cost. But if any reader finds amusement or information in its columns, he ought in fair reciprocity to sit down and send the publishers an order, or a subscription to the Green Bag, or a legal anecdote, or at least a postal-card of encouragement.

NOTES.

Our Cut. — The illustration on the first page of this number is a reduced cut from the portrait of Robert R. Livingston which serves as frontispiece to the September number of **The Green Bag**. This portrait reproduces effectively the statue of Livingston, which stands in the rotunda of the capitol at Washington.

Now in Print. — Vol. 1 of Stimson's American Statute Law was for some time out of print, but can now be furnished at the former price (§7.50 net).

Index Volume to E. R. C.—In answer to many inquiries, we would state that English Ruling Cases will have, on completion, a satisfactory Index, with full cross-references, and tables of English and American Cases, in a supplementary volume.

Problems of Advertising.—How to advertise effectively is a difficult problem for every business man,—most of all to publishers of law books. With such a deluge of announcements of poor books and cheap books in every mail, how can the publisher who has a really good and useful law book to sell, get the busy lawyer to read his circulars?

Pass it Along. — If the "gentle reader" likes to take his advertising dose in this form, he owes it to himself and his profession, not only to respond as suggested above, but also to pass Leg. Bib. around to his neighbors. For our lists of buying lawyers are very defective, and in many parts of the country we mail copies at hazard, hoping to hit the more intelligent and prosperous members of the profession. It is probable that your neighbor has not seen this number.

What to Buy.— If you cannot afford to subscribe for "English Ruling Cases," look carefully through the list of our publications on the last page, and see if you have all the books therein scheduled, which would help you in practice. If not, why not make up and send in to us, either alone or in combination with neighbors, an order which should secure for your office or your building, the good books we advertise.

The Green Bag. — Whatever else you do, try to take The Green Bag for the inspiration and entertainment it gives. If you can afford to buy the set of six bound volumes, you will have at hand a well-spring of delight for long winter evenings. If thirty dollars is too much for luxury these hard times, why not venture four dollars on a year's subscription?

New Editions. — The "Chicago Legal News" says:
"What the profession wants to know when the second
edition of a work appears, is whether it is sufficiently
revised and brought down to justify the expense of purchasing the new to replace the old edition. In the case of
Minor's Wood on Railways we should advise every
person practicing law to obtain the new edition."

CORPORATION LAW.

What work on Corporation Law have you on your shelves? Whatever it is, it is not complete unless you have beside it Vol. 2 of Stimson's American Statute Law, \$6.50 net, which is "an analytical and compared digest of the statutes of all the states and territories relating to corporations." The value of such a digest, in weighing the importance of decisions, is obvious.

COMPARATIVE CITATION OF REPORTS.

Our canvass for subscriptions to English Ruling Cases has brought up anew a query which has often been propounded before by lawyers desirous of buying sets of reports; viz., "What sets of reports are now most frequently cited in American courts?" The relative order of citation and usefulness will naturally govern the purchase of sets for public or private law libraries.

In order to answer this query definitely and accurately, we have caused a careful count to be made of the citations in the latest volumes of each set of American reports which had been received at the Massachusetts state library in October, 1894. The latest volume was taken of the reports of the highest court in each state and of the United States. Only the citations in the decisions of the judges (not those in the briefs of counsel) were counted, and the citations to the set of the state itself were left out of the calculation, as they are naturally the most numerous and do not affect the question what outside reports are most cited. The result is interesting. Two reports were made, the first when 32 of the oldest states had been examined; the second including also 13 of the more recently admitted states. The change in the footings shows how largely the United States reports and the California reports are cited in the new states.

The first figures submitted are here given only to show the order of the first twenty states. The second list is given in full.

Cases of other courts were cited in the decisions contained in the latest volumes of reports from 32 older states, as follows:—

English	1483	Iowa 231
New York	1164	Missouri 216
United States .	1137	Maine 209
Massachusetts .		Wisconsin 186
Pennsylvania .	446	New Hampshire, 173
Illinois	312	Connecticut 170
Michigan	289	Ohio 163
Maryland	241	New Jersey 157
California	231	Vermont 127

Cases of other courts were cited in the decisions contained in the latest volumes of reports from 45 states (including all the newer states as well as the older), as follows:—

United States English	1669 1594	Georgia . Tennesee		92 89
New York		Kentucky		87
Massachusetts .		Nebraska .		78
California	805	Mississippi .		70
Pennsylvania .	532	South Carel	ina	66
Illinois	. 471	Virginia .		66
Michigan				62
Iowa				59
Indiana		Nevada .		
Missouri		Arkansas		
Wisconsin	. 303	Rhode Islan		39
Maine				39
Minnesota				34
Ohio		Arizona		22
Connecticut .	. 206	Montana .		21
New Hampshire	, 205			
New Jersey		Florida .		
Alabama	. 163	South Dako		
Kansas	. 158			
Vermont	. 151			
Maryland	. 131	Delaware		
Texas	. 126	Wyoming .		2
North Carolina	. 103			

This result will surprise a great many of our readers, but it certainly bears out Prof. Mechem's opinion (see "A Model Book Review" in another column) that "the courts in this country whose decisions are looked upon with most respect, draw their supplies more largely from the English reports than from any American

The figures given appear to demonstrate that as soon as a lawyer in any of the older states gets ready to buy any sets of reports outside of his own state, his order of purchase should be - in their line of apparent useful-

1. The Best English Reports.

2. The United States Supreme Court Reports.

New York Reports.
 Massachusetts Reports.

With the other sets following at a long interval. His choice among these would probably be determined by local considerations.

Moral: Subscribe for English Ruling Cases right

LEG. BIB.: FIRST SERIES.

The old series of this paper had a large circulation, with many readers, friends, and correspondents in all parts of the United States, but being occasional in issue and in purpose, it was usually read and thrown aside. so that it now belongs to the vast army of "back numbers."

Only three complete files of Leg. Bib., First Series, are known to be in existence. One is in the publishers' office, one in a law library, the third in possession of one of the justices of the United States Supreme

Some of the contents of the first series were worth preservation. Among the short articles were:-

In No. 1. Law Books in the British Museum. The Ideal Law Library.

In No. 3. Pronunciation of English Reporters' Names.

In No. 4. Pronunciation of American Reporters' Names.

In No. 5. Chief Justice Hale.

In Nos. 6 and 7. Chief Justice Marshall.

In No. 7. The Learned and Laborious Coke. Littleton, alias Westcott.

In No. 8. Rufus Choate.

In No. 10. Judge Metcalf.

A Tuneful Bar.

And through many of the numbers a series of interesting "Notes and Queries."

For illustrations, No. 5 contained a portrait of Chief Justice Hale; No. 6, two portraits of Marshall, at 45 and 75 years of age; No. 7, quaint old wood-cuts of Coke and Littleton; No. 8, a striking portrait of Rufus Choate; No. 9, Freeman Place Chapel, and an effective reproduction of the Oxford statue of Blackstone; No. 10, portrait of Judge Theron Metcalf and other legal authors; No. 11, portraits of Chief Justice Fuller, and Justice Lamar, of the United States Supreme Court: No. 12, portraits of Greenleaf, Sharswood, Cooley, and Wharton.

If any of the younger generation of lawyers would like to see either of these articles or illustrations, perhaps we can find copies of some of the numbers in our crypts. But a full set of the first series of Leg. Bib. cannot be bought, except perhaps at an extravagant price.

FOSTER AND ABBOT ON INCOME TAX

As soon as the forms to be used under the new Income Tax Law are prepared by the Commissioner of Internal Revenue, we shall publish a treatise on the law by Roger Foster and Everett V. Abbot, of the New York Bar. Mr. Foster is the author of Foster's Federal Practice, and Mr. Abbot is one of the lecturers on law in the Metropolitan Law School.

The first part of the volume will contain a treatise on the law of the Income Tax. The second part will contain the new Act in paragraphs, with a digest of cases under analogous provisions of former Federal Statutes and English acts. Appendices will give the old Income

Tax Law, together with forms.

The reputation which Mr. Foster has made through the two editions of his well-known work on Federal Practice, gives assurance to the profession that the forthcoming manual will be a safe and thorough guide to the construction of the new law. It is more than probable that puzzling questions will arise under it, as soon as the law is fairly in operation, and that every lawyer must be prepared to advise his clients regarding it.

We hope to have Foster and Abbot on the Income Tax ready in December. Advance orders will

be placed on file and filled on publication.

EQUITY PRACTICE IN THE STATE COURTS.

We desire to call attention to the advantages, to a practitioner in the Courts of Chancerv and Equity in any state, of Foster's Federal Practice. (Second Edition, 2 vols., \$12.00 net.) This is not only the standard work on practice in the courts of the United States: but is also the best practical treatise on Equity Practice as it now exists in the courts of those states which have

not fused law and equity together.

The first volume, with the exception of a few sections on the special jurisdiction of the courts of the United States, is entirely devoted to the jurisdiction and practice of Courts of Equity. This is the work as originally written by Mr. Foster; when, as was said by "Current Comment and Legal Literature" of the first edition, "It is essentially a treatise on the administration of equity." In the second volume is a chapter on Writs of Error and Appeals, which contains a full guide to the practice on appeal in any State Court of Chancery as well as in the Federal courts, provided that the practitioner has a copy of the local rules upon the

This book covers everything in Mitford's "Pleadings," Daniell's "Chancery Practice," and Story's "Equity Pleading," which is of practical use at the present time; and an examination of its compactly printed pages and its succinct style, which are absolutely devoid of padding, will show that it contains more practical matter upon Chancery practice as it is now administered in the State as well as the Federal courts than any other work old or new. Appended to the work is a collection of forms for Chancery practice as well as for practice in the courts of the United States.

Even, therefore, if you do not practice in the Federal courts, you will find this book indispensable for everyday practice in your State Court of Equity.

Address The Boston Book Co., 15½ Beacon Street, Boston.

A MODEL BOOK REVIEW.

It is very difficult for lawyers to get any light on the purchase of books from the book-notices in the current law magazines. At the best, these are only perfunctory abstracts from the publishers' circulars; and it is so rarely that a competent critic analyzes and weighs the merits of a new book, that we take pleasure in noting a conspicuous exception to the rule, and calling attention to Prof. Floyd R. Mechem's admirable review of English Ruling Cases, Vol. I., in the October number of "The Law Book News." As a practising lawyer, as the author of two excellent law-books, and as a lecturer at the Law School of Michigan University, Prof. Mechem has had a training which especially qualifies him for judicious criticism.

The review is too long to be quoted here in full, but we present for our readers the following extracts:—

"Many attempts have been made to render the bulk of the English case law more available to the practitioner. Of its value to American lawyers there can be no doubt, and it is easily demonstrable that the courts in this country whose decisions are looked upon with most respect draw their supplies more largely from the English reports than from any American state. * * * In short, then, we are to have twenty-five volumes, made up of the ruling or leading English cases upon the principal topics of the law, selected from the whole period of English jurisprudence, topically arranged, with notes by the English editor giving the effect of the other English cases, and with separate notes by the American editor showing how the ruling cases are regarded in the United States, and particularly what the latest cases hold and the latest text writers say upon the subject with which they deal.

"This is, in many important respects, a new departure in law book making, and it is deserving of analysis. In the first place, these are to be 'ruling' cases,not a collection of cases of 'general value' like the American Decisions or Moak's English Reports, but the one, two, or more great ruling or leading English cases upon the principal legal subjects. This is a thing which is possible of English cases, but impossible of American cases, treated as a whole. We might have a selection of the ruling Massachusetts or New York or Federal cases, the ruling cases of any single jurisdiction, but not of fifty jurisdictions, within any one of which a case may be a ruling one, though it were ignored in every other. England, then, with a single jurisdiction, and one court of last resort, presents an attractive and unique field from which ruling cases may be selected. They will naturally not be numerous, and within their jurisdiction they will be authoritative. There can be comparatively little difficulty, also, in selecting them. The project so far seems a feasible one.

"In the next place, the cases are to be arranged under topics, which will appear in alphabetical order.

*** The topical arrangement has great advantages where it is feasible. It cannot, of course, be employed in a reprint of current cases, but it is possible with old cases, and it permits the gathering together in one group, of all the cases to be reproduced upon any given subject, where they can be analyzed and compared and annotated in the most effective manner. The lawyer, interested in a given subject, and investigating it in the

'Ruling Cases,' is not obliged to hunt through twenty-five volumes for the cases upon it; but here, in one volume, he finds them, all together, compact, convenient, easily carried to court, to consultation, or on a journey. ** ** This arrangement also makes the volumes available for the use of students and teachers in the law schools, where the study of cases is justly coming more and more to be recognized as a most efficient method of instruction. This part of the plan, then, is also feasible and admirable.

"In the next place, the cases are to receive annotation by both the English and the American editors. Of the value of leading cases, honestly and thoroughly annotated, there can be no sort of doubt. *** To a lawyer who has not access to the Reports themselves, these are the best assistants, and to those who have such access they furnish a valuable digest and index.

"Lastly, all of the leading topics of the law are to be covered in this way, and more could not be asked for. The whole plan is a commendable one. ***

"The selection of the cases seems excellent. No one can be so well fitted to decide what cases are properly to be designated as 'ruling' in England as an intelligent and scholarly English lawyer, and for this purpose Mr. Campbell's experience at the bar, as an author, and particularly as a co-laborer of Sir Frederick Pollock in the preparation of the Revised Reports, seems pre-eminently to fit him. ***

We are inclined to think that, for the purpose to be here subserved, and having due regard for the economy of space, the American notes, though they seem at times to be taking conclusions somewhat at second hand, and though they are not elaborate treatises upon the law, are all that is reasonably to be desired, and do most admirably and intelligently show the present condition of the American law upon the subject, and point out to the user the most available and reliable sources for further investigation, if he desires to make it. About 1,000 cases are cited in the English notes, and the same number in the American."

RAILWAYS IN COURT.

Railway litigation — the litigation of railroads and against railroads — has its seasons of waxing and waning. Last year and the year before there was a marked falling off in the number of such suits brought into court, all over the country. This year there are signs of a revival of litigation in this direction. Whether it is the swing of the pendulum, or whether the hard times and diminished receipts have forced the railroads to avail themselves of the defenses and delays of the law, rather than settle up by compromises and prompt payments, or whether revived business is bringing increased complications, we do not know; but the fact seems evident.

In view of this revival, the prudent lawyer, whether retained for or against railroads, will see that he has on his shelves Minor's new edition of Wood's American Railway Law, as the latest and best authority. This is one of the topics where an old book or an old edition is worse than useless, for it may be misleading. The courts are manufacturing law every day, and the latest edition is the only one to use.

Address The Boston Book Co., 151 Beacon Street, Boston.

GOOD BOOKS FOR LAW STUDENTS.

Real Property. - The event of the year in students' books has been the publication (in October) of a new edition of Williams on Real Property. It is a reprint in full of the seventeenth English edition, re-cast and greatly improved by the author's son. The American notes, by Prof. H. B. Hutchins, of Cornell Law School, are full, clear, and practical. Of the work itself, the "Solicitors' Journal" well says: "Although many admirable more or less elementary treatises on real property have appeared in recent years, none has for its special object excelled the late Mr. Joshua Williams's book. He knew so well how to hit the happy mean between elaborate detail and bare statement of principle; he was so habitually accurate and concise in expression, and so clear and masterly in the enunciation of principle, that no student who thoroughly digested his book could fail to obtain a very solid groundwork of knowledge of real property law. Hutchins's Williams on Real Property, a handsome volume of 850 pages, published at \$4.00 net, will henceforth be the standard edition.

Evidence. — CHAMBERLAYNE'S new international edition of Best on Evidence (price \$5.00 net) has the merits of being a recognized standard; in one volume, with late and sound American notes citing cases in many jurisdictions; and it enjoys the distinction of being one of the few books a student can buy for use while studying, and also keep for subsequent use in practice. It is as useful to a lawyer as to a student.

Introduction and Review.—To block out the way at the commencement of a course of study, and to review or "cram" for examinations, Ewell's Essentials of the Law (3 vols., sheep, \$7.50 net, leatherette \$6.00 net) will be found extremely useful. Vol. 1 is an edition of Blackstone, condensed by the omission of obsolete matter. Vols. 2 and 3 are epitomes of standard treatises on Pleading, Contracts, Equity, Evidence, Torts, and Real Property.

Sales — Domestic Relations — Criminal Law. — On these three topics of a law course, Mr. Irving Browne, widely known as an experienced lawyer and author, and as a graceful writer, has published elementary treatises which are models of brevity, clearness, and intelligibility. Each volume is sold at \$2.50, in sheep, or \$2.00 in leatherette, net.

Wills. — There is no question — as any good lawyer will substantiate — that the standard American treatises on estates of decedents are Schouler on Wills, and Schouler on Executors (price §5.50, net, each). Although written for lawyers, and generally used in practice, Schouler on Wills is so clear and simple in style that it is especially useful for study of the subject. This also is one of the books a student can buy, with the assurance that it will be useful to him after he begins to practice law.

Equity Pleading.—Heard's Equity Pleading is the only elementary American work on the subject. Price \$2.50 in sheep, or \$2.00 in leatherette.

Leading Common Law Cases.—Indermaur's Common Law Cases for Students is a little volume (cloth, \$1.50) containing brief and pithy condensations of the decisions contained in the celebrated collection known as "Smith's Leading Cases."

THE U. S. SUPREME COURT IN SESSION.

The Green Bag premium for 1895 will be a large picture of the present United States Supreme Court in session in their chamber at the Capitol. In order to ensure an accurate and artistic representation, we got Notman (celebrated for his effective photography) to send a special artist to Washington, to photograph the judges and the Supreme Court Chamber. The Court will be shown as seated at the bench, the Chief Justice in the centre; on his right, Justices Field, Gray, Brown, and Jackson; and on his left, Justices Harlow, Brewer, Shiras, and White. The background will show the architecture of the Supreme Court room,—the old Senate Chamber of the original Capitol, before the wings were built.

This interesting group will be sent free to every old subscriber to the Green Bag who pays his 1895 subscription promptly (before January 10), and to every new subscriber for 1895. If you want the picture for your office or home, \$4.00 sent at once to The Boston Book Co. will secure it, and also The Green Bag for a year. We shall strike off a few extra copies, to be sold at \$3.00 apiece.

We expect to have this picture ready for delivery about Christmas. It will make an excellent Christmas present for a lawyer.

LEGAL PORTRAITS.

In answer to inquiry, we would say that we get from time to time good engravings of American and English judges and famous lawyers, suitable for framing. Whenever these accumulate, we print a price-list and send it to the lawyers who have previously bought or signified an interest in portraits.

We have now on hand extra copies of the Green

Bag premiums, namely:

And shall have, in December, the group-portrait of the present U.S. Supreme Court in session, described above.

We also have a very striking engraving representing Justices Smith, Day, Pollock, Coleridge, and Charles, sitting as the English Court of Criminal Appeal (size, 42 x 30 inches: price, \$12.50); and a large engraving of the House of Commons in session, with Gladstone delivering his last great speech (size, 18 x 25½; price, \$6.00). A key-sketch identifying ninety members of Parliament accompany the latter picture.

A NECESSARY LUXURY.

The Green Bag continues to delight and refresh the American bar. It is the only magazine which has ever invited lawyers' support, without any pretense of being useful in practice. Its existence and its success are witnesses to the cultivation of the legal fraternity,—of their pride in the amenities and the liberal literature of the profession. It has become recognized as the first luxury a lawyer can allow himself when his income begins to exceed his expenses,—a luxury so stimulating and educational as to be ranked almost among the necessities of civilization,—like handkerchiefs, and napkins, and bath-tubs, and furnaces, and a dozen conveniences we could get along without if we chose.

Address The Boston Book Co., 151 Beacon Street, Boston.

COMMENDATION OF E. R. C.

As the good opinion of good lawyers is after all the best advertisement of a new book, we present here quotations from recent letters in regard to **English Ruling Cases**.

From Hon. Henry Strong, Chief Justice of the

Supreme Court of Canada:-

"I have made a thorough examination of Vol. 1, and have no hesitation in saying that if the succeeding volumes maintain the high standard of the first, the series will be a most valuable addition to the library of the working lawyer."

From Hon. T. E. Cooper, Chief Justice of Missis-

sippi:-

I have given the first volume of the English Ruling Cases careful and full examination, having read it during our last vacation. I have also had some opportunity to examine the second volume, recently published. The series will, I am confident, be of great value to the Bench and Bar. The work of the annotation is conscientiously and intelligently done, and the cases reported well selected. You deserve, and I hope will receive, the support of the profession whose labors will be lightened by your work."

From Hon. Charles H. Aldrich, Chicago (ex-Solicitor-

General of the United States): -

"I like the arrangement of **English Ruling Cases** better than that of any law publication I have before seen. The scope is eminently practical, and the editorial work very good."

From Hon. Robert S. Gould, of Austin, Tex.: -

"I am well satisfied with having subscribed to the series. The cases appear to have been carefully and judiciously selected."

From Edward W. Bisbee, of Barre, Vt.: -

"The arrangement by topics of interest to the general practitioner, with full citation of cases in both the English and American notes, gives a great deal of law in a very convenient form. I regard it as a very useful set."

From Cox, Cotton, Teal and Minor of Portland, Oregon:—

"We can see a good deal of substantial merit in the work."

From H. M. Heath, Augusta, Me: -

 $``I\ {\rm am}\ {\rm highly}\ {\rm pleased}\ {\rm with}\ {\rm the}\ {\rm completeness}\ {\rm of}\ {\rm the}\ {\rm work}, {\rm its}\ {\rm scientific}\ {\rm arrangement}\ {\rm and}\ {\rm accuracy.}"$

From Charles Quarles, Milwaukee, Wis.: -

"The idea embodied in English Ruling Cases is of great practical importance, and if worked out in detail with the industry and ability shown in the first volume, will make this set of law books of very great value. Vol.1 has been so serviceable that I hope you will hasten the publication of other volumes, as much as is consistent with good work."

From Dinkelspiel and Hart, New Orleans:-

"An examination of Vol. 1 satisfies us that it is a most valuable book of reports. More properly speaking, however, it should be called a book of principles, and its use, so far as it goes, should destroy the anomaly of a lawyer reading a case in his favor, and the opposite counsel reading another case in his favor from the same book."

AMERICAN LAW IN ENGLAND.

The most important book described in this number, and indeed the most important publication of this decade, is the series called "English Ruling Cases." Its plan is so novel and yet so practical, it ranks so high among labor-saving devices; and it brings such a range of good law right into a lawyer's office, arranged and digested in the best form for use in investigation or trial of a case, that it merits careful examination from every lawyer who uses books.

It is not too much to say that this series will sooner or later be found on the shelves of every lawyer in good practice, and in every library which has advanced beyond the kindergarten stage of local text-books and

statutes.

The advertisement on another page will give particulars as to this new series, but there is one phase of its publication not therein mentioned which will interest all lawyers, and this is the fact that Exclisi Ruling Cases will not only tend to bring back English decisions to greater favor and more frequent use in this country, by rendering them more accessible, but it will also serve to bring American law very prominently before the bar of Great Britain and its colonies.

The International Copyright law recently enacted at Washington contains a clause obliging foreign authors or publishers to manufacture their books in the United States, as an essential condition of copyright. Under this provision, the English projectors of this series, to secure American copyright, are having the series printed at the University Press, in Cambridge, Mass.

As it would require a double outlay to print one edition for the English market and another for the American, and as no edition could sell in the United States without good American notes, the English publishers are taking the University Press edition, American notes and all, for their English and Colonial demand.

Thus, through a paragraph in the International Copyright Act intended to protect American printers, the bar of Great Britain is going to be flooded with good American law. The American lawyer who cannot find law to suit him in his own reports, will turn to the English cases, as he has done before, but with time and labor saved for him by this new series; while the English lawyer who cannot find law to suit him in the English cases, is sure to turn, as he has never done before, to the American notes which this series brings to him.

This series is therefore truly international in its effect as well as in its source, and its influence will result in bringing our law more prominently before our legal brethren in all English-speaking communities, — perhaps will also tend to more homogeneity, in the future, in legal doctrines and in legislation.

CONSTITUTIONAL LAW.

Have you ever examined Part I. of Stimson's American Statute Law, Vol. 1? It comprises a careful digest of the several provisions of the constitutions of all the states and territories, and shows at a glance the accord and variations of the different constitutions. No reader of American politics or American history should fail to give this interesting compilation careful thought and study.

English Ruling Cases, with American Motes.

Series of 25 or 30 volumes: four issued annually. Vol. I., published June, 1894. Vol. II., October, 1894. Vol. III., ready in January, 1895. Price per volume, \$5.50, or \$5.75 delivered. English Editor: Robert Campbell. American Editor: Irving Browne.

This series is intended to include all the decisions of the highest English courts, from the commencement of reporting down to the present day, which have permanent value as "Ruling Cases." The principal cases are given in full; cases of subsidiary or illustrative value are abstracted in the English notes. When the series is completed, its owner will have on his shelves a collection of all the English cases he will need in practice, in shape to present them in court.

The arrangement of the cases is not chronological, but by topics, — the most convenient form for consultation and comparison.

The American notes indicate the American cases in which the principal cases have been cited, as well as others on the subject treated, and their agreement or variance will be pointed out. Recent and standard text-books will also be cited, and frequent reference will be made to the "American" system, and to the "Lawyers' Reports," so that the owners of those series may be able to use the English cases in connection with the American. Mr. Browne's reputation is a guarantee of the practical excellence of his notes.

The plan of the work is to present under each topic: first, a "Rule" of law deducted from the cases; then (if there is one), the old or leading case (in full), to which all the lines of English and American decisions can be traced back; then, the latest case (in full), in which the English courts have reviewed and restated the doctrine. The English notes follow, giving abstracts of other pertinent cases; and finally, the American notes show the application of the "Rule" in this country, and connect the English with the American cases in our various jurisdictions.

Thus, under the title "Air," in Vol. 2, comes a brief clear Rule, followed by Aldred's case from 9 Coke (A.D. 1610), and then the case of Bass r. Gregory, Law Reports, 25 Q. B., decided in 1890. One page of English notes and eight pages of American notes finish the topic. In this arrangement the origin, development, and present status of each legal principle in England are clearly shown in the words of the Court, and its relation to our cases is traced and stated.

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LAW DICTIONARIES.

There were many dictionaries of the Civil and the Canon Law. One curious specimen can be seen on the shelves of the Boston Book Company, in the shape of three folios, entitled "Repertorium famosissimum Utriusque Juris, Doctoris Domini Petri Episcopi Brixiensis," published at Nuremberg, Calends of October, 1476.

The English and American law dictionaries may be divided into two classes, the dictionary proper or glossary, containing merely definitions, and the encyclopædic dictionary, containing also brief monographs.

The earliest glossary appears to have been "Expositiones Terminorum Legum Anglorum" of which two editions—one in English and the other in Latin, were published in 1527. This work was originally published by John Rastell, and its authorship has been attributed both to him and to William Rastell. After an interval of nearly forty years, it was revived under the new name "Terms of the Law, or Certain Difficult and Obscure Words, expounded etc. in French and English." In this phase there were about twenty editions between 1563 and 1742. It was reprinted at Portland, Me., in 1812. A work entitled "An Exposition of Certaine Difficult or Obscure Words of the Law," perhaps an edition of "Terms of the Law" appeared in 1602.

Skene's "De Verborium Significatione, or Exposition of the Difficil Termes in the foure Bookes of Regiam Majestatem." Edinburgh, folio, 1597 and 1641, was a

glossary of Scotch law.

Spelman's Glossary, folio 1626, 1664, 1687, expounded the barbarous Law Latin; and Skinner, "Etymologica Expositio Vocum Forensium," fol., 1671, covered about the same ground.

Blount's Law Dictionary and Glossary, folio, 1679, 1691, and with notes by William Nelson, 1717, approached more nearly the modern idea of a dictionary.

The Law French and Law Latin Dictionary, 1701 and 1718, was specifically a glossary, as was also Kelham's Dictionary of Norman or Old French, 1779.

The smaller dictionaries of later years cannot be easily assigned to one or the other class by title; but the following appear to have been mainly glossaries, or at least so brief as not to be encyclopædic.

Students Law Dictionary, or Expositor, London, 1740. Williams' Compendious Law Dictionary, London, 1816. Tayler's Law Glossary, London, 1819 and 1823. American editions 1833, 1843, 1855, 1860, 1866 and 1873

(with later dates but apparently no changes).
Whishaw's New Law Dictionary London, 1829.
Tomlins' Popular Law Dictionary, London, 1838.
Holthouse, New Law Dictionary, London, 1839, 1846: reprinted Philadelphia, 1847.

Brown's New Law Dictionary London, 1874, 1880: reprinted Albany, 1875.

Mozley and Whitley, Concise Law Dict., London, 1876. Stimson's Glossary of the Common Law, Boston, 1881. Rawson, Pocket Law Lexicon, London, 1882, 1884, 1893. Adams' Juridical Glossary (incomplete), Albany, 1886. Kinney's Law Dictionary and Glossary, Chicago, 1893.

The line of dictionaries containing judicial definitions and dissertations on legal topics, as well as translations of words or phrases, was first foreshadowed in Cowell's Law Dictionary or Interpreter, "Nomothetes," of Words and Terms used in the Common and Statute

Laws of Great Britain, etc., folio, 1607 or 1609, with editions in 1637, 1658, 1672, 1684, 1701, 1708, and 1727.

Jacob's New Law Dictionary "explaining the rise, progress, and present state of the English law" first appeared in one volume quarto, 1729. There were editions in 1732, 1736, 1739, 1743 (abridged), 1744, 1750, 1756, 1762, 1772, 1782 (by Ruffhead and Morgan); 1797 (11th edition, by Tomlins, 2 vols.) 1809, 2 vols. "greatly enlarged." Still further amplified and published under Tomlin's name, 2 vols. octavo, 1810, appearing in new editions as "Tomlin's Law Dictionary, 2 vols., 1815, 1820, 1835; with an American reprint, 3 vols., Philadelphia, 1836. An American reprint of Jacob was published in six volumes octavo, New York, 1811.

In 1764, (with editions, 1771 and 1782, and a Dublin reprint, 1764) appeared Cunningham's New and Complete Law Dictionary, or General Abridgment of the law.

Burns' Law Dictionary, 2 vols., London, 1792, and Potts' Compendious Law Dictionary, 2 vols., London, 1803 and 1813, appear not to have been very successful.

The next English dictionary was Wharton's Law Lexicon or Dictionary of Jurisprudence, London, 1848, with editions in 1859, 1864, 1867, 1872, 1876, 1883, 1889, 1892. It was reprinted at Harrisburg, Pa., 2 vols. 1849.

In 1882, Sweet's Dictionary of English Law; Definitions and Statement of Rules, was published in London; and in 1890, Stroud's Judicial Dictionary of Words and Phrases Judicially Interpreted.

The reprints noticed above met the needs of the American bar until 1839, when Judge Bouvier published the first edition of his "Law Dictionary, adapted to the Constitution and Laws of the United States and the several states." As it incorporated all the best parts of the English law dictionaries, with careful statements of American law, Bouvier's Law Dictionary at once became, and has since continued to be, the favorite in this country. It is somewhat difficult to trace out the editions, as the publishers changed the title page with each reprint, whether it had new matter or not. Taking it for granted however, that a copyright would be taken out whenever new matter was incorporated, the copyright records show entries in 1843, 1848, 1852, 1867 and 1883. Although the last imprint claims to be the 15th edition, it would thus appear to be the 6th; and Rawle's Revision is the 7th revised edition.

Burrill's Law Dictionary was published in New York, 3 vols. 1850, with a second edition in 1859. This date was changed from time to time, apparently without change of contents.

Abbott's Law Dictionary of Terms and Phrases in American or English Jurisprudence was published at Boston, in 1879, in two volumes.

Rapalje and Lawrence's Dictionary of American and English Law was published in two volumes, Jersey City, N. J., 1883.

Anderson's Dictionary of Law, one volume, was published in 1888. The date on the title page has been changed from time to time, without other changes.

Black's New Dictionary of Law was published at St. Paul, Minn., in 1891.

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(See Deviation, 9. E. R. C.)											
§ 8: Loss; Causa Proxima Spectatur;	7	4.6	6.6	6	6.6	66	6.6	15	4.6	6.6	6.6
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(See Abandonment, 1 E. R. C.)											
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§ 11: Adjustment of Losses	6	66	66	-		6.6	4.6	5	4.4	4.4	6.6
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— but the question they are apt to ask is "Granted that
sound and pertinent English decisions would be useful
to us, how can we distinguish the English books which
are useful, from those which are useless?"

This query is natural, for the latest catalogues give titles of over six hundred text-books now in use in England, and sixteen hundred volumes of reports,—besides periodicals, digests and statutes.

There are a few books, however, which can be suggested as undoubtedly serviceable on this side of the Atlantic. Among text-books, those which deal with principles of law and equity, rather than with statutes or practice, have universal application wherever the Common Law is followed. And among books of principle, those which have been republished are undoubtedly doubled in value by good American notes. The older books are known to every lawyer. Among these Taylor on Evidence, the leading English authority on that subject, has always taken first rank, - and still holds it by virtue of the excellence of Chamberlavne's American notes to the last edition. A recent illustration of the usefulness in America of English books of principle, is Dicey's Conflict of Laws, with notes by Prof. J. B. Moore of Columbia University.

To make a selection among English reports has been even more difficult. Of late years the current Law Reports have been favorites in this country; but that set is now getting to be so large and costly, that another selection must be made by lawyers with limited resources. Fortunately a new series is now in course of publication, which solves the problem. This is

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Another aid to research, on somewhat different lines is the new Digest of English Case Law, 16 vols., described on another page. It is a singular thing that no complete digest has ever before appeared in England. It is of the old-fashioned pattern, — full statement of the facts, and somewhat lengthy abstract of the de-

cision of the court, in each case,—a satisfactory plan when one has not the original reports on his shelves.

Still another recent English publication which will interest many American lawyers — and should certainly be in every library, is the new Abridgment and Encyclopædia of English Law. The absence of American notes may affect its value, but the fact that each article is written by a specialist, and recognized authority, whose name is given in the table of contents, will add weight and value to the compilation.

FORMER ENGLISH DIGESTS.

The earliest digests of English law were the Abridgments, of which a full account will be found in another column. These fairly served the purposes of digests for over three hundred years.

The earliest book which might be designated as a digest was Ashe's Tables to the Year Books, 2 vols., folio, 1614. In the eighteenth century, digests of the law on special topics, and digests of individual reporters, or of reports in individual courts through short series of years, were published from time to time; but the series of comprehensive English digests began with Coventry and Hughes' Analytical Digested Index to the Common Law Reports, Henry III to 1 George III (1216 to 1760), 2 vols., London, 1827; reprinted at Philadelphia, 2 vols., 1832. This Index, or Digest, covered the older reports, and seems to have been considered so far sufficient and final, for Harrison's Digest and its successors, Fisher and Mews, do not go back of 1756.

In the year 1829, the first edition of Harrison's Analytical Digest of all reported Cases in the House of Lords, the several Courts of Common Law, Bankruptcy, and Crown Cases, — was published in 2 vols. The second edition of "Harrison's Common Law Digest" appeared in 3 vols., 1835: with an additional volume in 1837. The third edition, by R. Tarrant Harrison, came out in 4 vols. in 1844, with a supplement by R. A. Fisher in 1856. Harrison's Digest was reprinted in 3 vols., at Philadelphia, in 1835, with annual appendices bound up as an additional volume in 1842; and was again reprinted at Philadelphia in 7 vols. in 1853.

In 1870, R. A. Fisher published under his own name in 5 vols., what was practically a new edition of Harrison; with a 2 volume supplement in 1880; reprinted in New York as Jacobs Fisher's Digest, 9 vols., 1880–1882, with two supplementary volumes. In 1884 another edition by Mews (known as Mews' Fisher, —or Mews' Common Law Digest) appeared in 7 vols., with a supplement, 1 vol., 1889. Annual supplements to Harrison, Fisher and Mews, have been published since 1837.

In 1831, Edward Chitty's "Index to all the Cases, etc., relating to Equity and Bankruptcy from the Earliest Period," was published in two volumes. A second edition followed, in 4 vols., 1837; a third by James Macaulay, 4 vols., 1853; and a fourth by William F. Jones and Henry E. Hirst, in 9 vols., 1883–1889. The first, third and fourth editions were imported in quantities, with imprints of Phila. (1831, 1853), and Boston (1883–1889).

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THE VERNACULAR IN COURT.

Witness. — I noticed that she has a black eye.

Judge. — One moment, I don't quite follow you. What was the color of her other eye?

Witness. — I mean her husband had blackened her eye.

Judge. — What an extraordinary thing to do! Did he use paint or burnt cork or soot, or what?

Witness.—No; I mean he fetched her one and that made her eye black.

Judge. — Fetched her one! I presume you mean he fetched her a black glass eye from a dealer in such articles?

Counsel. — No, your lordship. The witness means that the women was struck in the eye, and that the result was discoloration of the adjacent flesh.

Judge. — O! Now I understand.

Witness. — She went out, and said, "I'll be back in half a jiffy."

Judge. — I don't know what kind of conveyance that is, but why didn't she come back in a whole one?

Witness. — It isn't a conveyance, my Lord.

Judge. — O, is it a — er — garment?

Counsel. — No, your Lordship. It is a common expression for a short space of time.

Judge. — Dear me! How very confusing! Go on.

Witness. — She gave me a bob.

Judge. — Dropped you a curtsey, you mean, eh?

Wi'ness. — No, a shilling.

Judge. — I never heard a shilling called a bob before. Go on.

Witness. - And I took my hook.

Judge. — You had brought a hook with you, then? Counsel. — He means he took his departure. Go on. Witness. — When I saw her again she'd been on the booze.

Judge. — Is that a river?

Witness. — I mean she'd been drinking.

Judge. — Then why didn't you say so?

Witness. —I saw a policeman, and went up to him and said, "bobby —"

Judge. — You knew the policeman intimately, then? Witness. — Never saw him before in my life.

Judge — And yet you knew his Christian name and addressed him by it in its most familiar form.

Counsel. — A policeman is frequently called a bobby, my lord.

Judge. — Dear me! I was not aware of it, I never heard the expression before.

Counsel (to witness).—And you gave her in charge?

Witness.—Yes; but the policeman, he said, "What's your game?"

Judge. — What had you in your hand, then — a brace of pheasants, or a hare, or what?

Counsel. — O, skittles!

Judge. — O, that was the game! But how could the witness be playing skittles in the street?

The Witness (to counsel).—O, Lor'! Ain'the a treat!

Counsel.—Yes. You'd better stand down till I
can get a sworn interpreter, It's not my business.

From The Green Bag.

THE BAR.

The whole topic of the Bar seems constantly to have given occasion to very remarkable mistakes, as to the meaning of legal expressions such as "Trial at Bar," "Called to the Bar," "Under the Bar," "The Side Bar," etc., such expressions having generally very distinct derivations, e.g. the barres in the old halls of the Inns of Court and the bar of the Courts of Law.

From old time in the Inns of Court the Utter-Barrister was the advanced apprentice of the law, who had passed the barre of the hall of his Inn and become one of the apprenticii ad barros, or Gentlemen of the Bar: whilst the Junior class, or Students, were kept within the barre and denominated apprenticii infra barros, Inner Barristers, or Gentlemen under or below the Bar.

On the other hand, by a curious transition, the expression "within the Bar," obtained in Westminster Hall and elsewhere, out of the Halls of the Inns of Court, an exactly opposite meaning—the more advanced of the apprentices of the law being in due form called from the Outer Bar by special favour, and generally referred to in the Courts as the Gentlemen of the Inner Bar, whilst those not so distinguished had been called the "Gentlemen of the Outer Bar."

The actual bar of the Courts, of which we have already spoken, and which, like the barre de Palais de Justice in France, gave a designation to the whole order of advocates, appears formerly to have been always sufficiently distinct; and the rules and observances relating to its custody in old times were very strictly enforced —the ancient office of Keeper of the Barre or Usher, being one of no small importance; and it is remarkable that to this day in both Houses of Parliament the words "Bench" and "Bar" have to a great extent the same meaning as when the High Court of Parliament constituted the Curia Regis, with its different Benches, and the suitors or applicants for justice, or the accused offender, came, with their Counsel standing beside them, to be heard at the Bar; this bar being always on such occasions drawn out with great ceremony, to prevent improper intrusion on either of the Benches.

The bar of the old Courts at Westminster seems to have been guarded and kept with the same forms as in the more ancient Curia Regis. In the pictures and illuminations already referred to we see the Judges on the different Benches, the officials at the tables below, and the litigants with their Counsel, the Serjeants of the Coif, standing by them at the Bar. The picture of the King's Bench, in addition to what we see in that of the Common Pleas, shows us the Prisoner at the Bar with his Counsel standing by him: and in other representations of the old Courts we have ample proof of the old use of the bar as the proper place for the pleader, the litigant, and the prisoner.

The bar of the old Curia Regis in this manner separated these who legally constituted the Court (with its official staff) from those who were not thus belonging to it, but came as litigants, suitors, or pleaders, or as witnesses, defendants, or prisoners. The Judges and other members of the tribunal sat on the Benches, whilst the litigants and advocates stood at the bar. The separation was not merely imaginary. It was made by a substantial barrier of iron or wood.

From Pullings Order of the Coif.

ABRIDGMENTS OF THE LAW.

The bench and bar found the reports so voluminous that they resorted to abridgments four centuries ago.

In or about the year 1470, R. Pynson published Statham's Abridgment. This interesting specimen of early typography is printed in characters made to resemble court-handwriting. There is no title-page, but from the character of the type, the volume is supposed to have been printed by Tailleur (of Rouen, France), for Pynson. This is apparently the first attempt to methodize the decisions of courts of law in England. It contains many cases not in the printed Year Books.

In 1516, before the series of reports known as the Year Books had been completed, Fitzherbert's "Graunde Abridgment" was printed by Wynken de Worde (or Pynson,) in three part folio, usually bound as one volume. Subsequent editions were published in 1565 and 1577. Although this compilation is mainly a common place book to the Year Books, it contains original cases, and merits place as a volume of reports.

There appeared from time to time during the sixteenth and seventeenth centuries abridgments of individual reports,—the Book of Assizes and other Year Books, Dyer, Plowden, Moore, Cole, Crocker, etc. Excluding these from the list, the next compendium of the whole law, in point of time was Brooke's Graunde Abridgment, first published in two parts, folio, usually bound in one volume, London, 1568. Subsequent editions or impressions appear to have been published in 1570, 1573, 1576 and 1586. This abridgment was founded on Fitzherbert, but has more titles, and much original matter.

Hughes' "Grand Abridgment of the Law Continued," 3 vols., 4to 1660-62 was intended as a supplement to Fitzherbert and Brooke. It covers "from 1 Elizto the present time." Only one edition was issued.

In 1668 Henry Rolle published "Un Abridgment des Cases et Resolutions del Common Ley, Alphabeticalment Digest desouth severall Titles," two volumes, folio with a preface by Sir Matthew Hale. This was a partial reprint of Fitzherbert and Brooke with additions. Its chief merits appear to have been style and arrangement. Only one edition appeared.

The only edition of Sheppard's Grand Abridgment of the Common and Statute Law of England, was published in four parts, bound as three volumes quarto, in 1675. Though this is the first abridgment written in English, it seems to have been a failure; perhaps (Marvin says), because the author, although well known through his Touchstone of Common Assurances and other legal treatises, was an adherent of the Commonwealth, and published his abridgment when Cromwell's friends were not amici curiae.

In 1705 **D'Anvers** began his **General Abridgment** of the Common Law, mainly a translation and continuation of Rolle. For lack of encouragement, he only published three folio volumes, coming down to the appropriate title, "Extinguishment." The catalogues give a second edition of these volumes, 1722–1737,—but the fact seems to be that the progress of the work halted along for over thirty years, and then stopped.

Lilly's "Practical Register or General Abridgment of the Law as now practised" (2 vols. folio, four editions, 1719 to 1745) was rather a text-book of practice than an "Abridgment" in the more general sense.

Nelson's Abridgment of the Common Law of England, 3 vols., folio, 1725, was "chiefly though incorrectly copied from Hughes," and like the latter, included only cases since the publication of Fitzherbert and Brooke. No second edition was issued.

In 1736 appeared the first volume of the first edition of Bacon's New Abridgment of the Law, a work which has had a hundred and fifty years of use. As originally published, it was largely founded on treatises written by Lord Chief Baron Gilbert. Matthew Bacon died before this work was completed and it was finished by Sergent Sayer and Owen Ruffhead. Editions:—

First, 5 vols. folio, London, 1736–1759; second, 5 vols. folio, London, 1762; third, 5 vols. folio, London, 1768–1770; fourth, 5 vols. folio, London, 1778; supplement by Cunningham, 1 vol. folio, 1786; fifth by Gwillim, 7 vols. octavo, London, 1891; sixth by Gwillim, 7 vols. octavo, London, 1807; seventh by Gwillim and Dodd, 8 vols. octavo, London, 1832; American edition by Bird Wilson, 7 vols., octavo, Phila., 1811; American edition by John Bouvier, 10 vols. octavo, Phila., 1842–1846.

The edition of Sir Henry Gwillim, 1798, was carefully revised and enlarged. Several editors assisted Mr. Dodd in preparing the 1832 edition, the standard in England. Judge Bouvier's edition, which has been once or twice reprinted with changed title-page, but few other changes, is by far the best for American use.

Viner's General Abridgment of Law and Equity is said by Marvin to be "the most voluminous production of any single individual in the whole bibliography of the Common Law." Everything in the older abridgments, with much new matter, is included in this series. Story says that "its principal merit is its extent." There were two editions,—the first, in 23 vols., folio, printed at the author's residence, Aldershot, on paper made with the watermark C. V. (Charles Viner);—the second in 24 vols. octavo, London, 1791–1794. A supplement in six volumes, was published, 1799–1806.

Comyn's Digest of the Laws of England is rather an abridgment than a digest. Its method is based on a systematic and scientific distribution and subdivision of the titles of the law. Editions as follows:—

First, 5 vols. folio (Law French), London, 1762–1767; continuation, 1 vol. folio, London, 1776; second, 5 vols. folio, London, 1781; third by Kyd, 6 vols. octavo, London, 1792 [fourth by Kyd, 6 vols. octavo, Dublin, 1793]; fourth by Rose, 6 vols. octavo, London, 1800; fifth by Hammond, 8 vols. octavo, London, 1822; American edition by Day, 8 vols. octavo, New York, 1824–1826.

William's Abridgment, 5 vols., 1798-1803 only included cases at law during the reign of George III.

Petersdorff's Abridgment, 15 vols., London, 1825–1830; reprinted 15 vols., New York 1829–1832, — covering law cases from 1660 to 1824, was "never a general favorite." A supplement, in 2 vols., by Hammond, was dated N. Y., 1835. "Petersdorff's Practical and Elementary Abridgment of the Common Law," designed either as a supplement or as a separate work, was issued in 5 vols. at London, 1841–1844.

Petersdorff, or rather Bouvier's edition of Bacon, closed the line of the old abridgments; now renewed and prolonged by the The New Abridgment and Encyclopædia of the Laws of England, of which a description may be found in another column.

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We have also in preparation "History of the Judiciary of Massachusetts, including the Colony of New Plymouth, the Colony and Province of Massachusetts Bay, and the Commonwealth," by William

T. Davis, Esq., of Plymouth.

Vol. 20 of English Ruling Cases (\$5.50 net) just covers the topic "Patents." For the convenience of patent lawyers, who do not need the whole series, we have also published this volume separately, under the title of Ruling Cases on Patent Law (\$6.50 net). Vol. 21 of E. R. C. will be ready early in May. As the series will be completed, as originally announced, in twenty-five volumes, the end is in sight. There will be an additional volume, to include the Index and Table of Cases needed to complete the usefulness of this compact and practical set of reports.

Commendatory reviews of Martin's Civil Procedure at Common Law (1 vol., \$3.50) have appeared in the Harvard Law Review, published at the Harvard Law School; in the American Law Register, published at the Law School of Pennsylvania University; and in the American Law Review, published at St. Louis. Praise for this new book comes also from judges, lawyers, and teachers of law, and it is to be used next year at several law schools. It was written especially for students who expect to practise in "Code States," but it appears to be also well adapted for States where there

is no reformed code of procedure.

The final publication of Vol. 2 of Jones's Index to Legal Periodical Literature (\$10.00 net) calls renewed attention to the great number of valuable monographs, hitherto hidden in back volumes of English and American periodicals, and now rendered

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NOTES.

Chicago Opinion. — "I would call your attention to the Index to Legal Periodical Literature, by Leonard A. Jones, Vol. 2, 1887-99, a most valuable aid, which for years has been anxiously looked for." From the Report of the librarian, Julius Rosenthal, to the Chicago Law Institute, Dec. 31, 1899.

Far Praise for Rawle's Bouvier. — Lawyers who practised in St. Louis in the "seventies" will remember Newton Crane as one of the juniors at the bar in those palmy days. He is now a full-fledged English barrister, and writes thus from his chambers, No. 1 Essex Court, Temple, London, E.C.:

"Denied access to a public American law library, I am obliged to select my books with great care, in order to have the best working tools within reach. I am amazed at the usefulness of Mr. Rawle's Bouvier. It is my first resort, and I rarely fail to find with ease the exact matter I want. It is a complete encyclopædia rather than a dictionary."

The Massachusetts Judiciary. — We shall publish — probably in May or June — a "History of the Judiciary of Massachusetts, including the Colony of New Plymouth, the Colony and Province of Massachusetts Bay, and the Commonwealth of Massachusetts," by Hon. William T. Davis, of Plymouth, Mass. Size and price will be announced later in The Green Bag.

Booksellers' Extortion. — Four hundred years ago booksellers were not only kept by competition from overcharging their customers, as in these modern days, but also by the iron hand of authority. Among the statutes, "Anno. XXV., Henry VIII.," is one about "Bokes." After providing against buying to sell again, "any bokes brought from any partes out of the kynges obeysance redy bound in bordes, lether, or parchement," the statute continues:

A Prouyded that if any of the prynters or sellers of prynted bokes enhans the pryse of suche bokes in such wyse as complaynt be made to the kynge / the channcellour / treasourer / or any of the chyef iustices than they or two of them have power to inquyre thereof as well by othys of. XKK. discrete persons / as by other due examinacion. And after the same enhaunsing of pryse so by them found that than they or two of them to have power to redresse it / and to lymitte pryses consenient and the party beyng therof convycte to forfayt for every boke by them solde at such enshaunsed pryse. iii. s. iiii. d.

Could the "oaths of twelve discreet persons" be procured to convict any modern booksellers of "enhancing prices"?

MARTIN ON CIVIL PROCEDURE AT COMMON LAW.

The following paragraphs from The American Law Review give suggestions as to the value, to lawyers as well as to students, of this new book:

"The author has for ten years instructed students of the University of Missouri upon the subject of this treatise. Prior to that time he had been a member of the Supreme Court Commission of Missouri, and prior to that, one of the leading practitioners at the bar of St. Louis for a period of about thirty years. His habits of investigation were thorough; his legal arguments and judicial opinions conscientious and accurate; his style succinct, and destitute of redundancy or ornament. This book is the result of a conviction, shared in by many teachers of the law and by authors of works on procedure under the modern codes, that, in order to acquire a proper understanding of the codes, it is necessary to understand the system of common law and equity procedure which preceded the codes, and which were for the most part blended with the codes.

"This book contains but little more than 400 pages of good law size; and yet on turning them over the first impression that will be produced on the mind of the reader will be a sense of what he himself does not know concerning the original rules and principles of our law. Some able instructors of the law are of the opinion that the best way to acquire an understanding of the ancient common law is by the study of the ancient judicial writs. On this conception Fitzherbert's 'Natura Brevium' would probably be the first text-book that would be put into the hands of the student. If that is a sound view, it must follow, for nearly equal reasons, that a study of the system of procedure which has preceded the modern codes and the modern practice-acts furnishes the proper introduction to the study of these later systems. This book is believed to present that ancient system of procedure, so far as it was in use in the courts of common law, in accurate outline and with sufficient fulness for the purposes of the modern student. Nor will its usefulness be confined to mere students of the law, unless we use the word 'student' in its larger sense as applicable to every worthy lawyer or judge; for none such ceases to be a student of the law while life lasts. Old lawyers and judges will open its pages with a mingled feeling of surprise, pleasure, and disappointment - surprise at the great amount of accurate learning presented in so small a compass, and with such clearness of statement; pleasure analogous to that with which a good lawyer, after many years, returns to the reading of Blackstone, or Kent, or Story; disappointment at the discovery that the reader knew so little, or had forgotten so much."

[One volume, law sheep, \$3.50 net.]

NOTES.

Year Book Jingle. — In Anno Decimo Sexto of the Liber Assisarum, page 46 of the 1679 edition, these two lines are interpolated in an "Infant" case:

Mes. toft, mol. col. garr. ter. pra. pas. bos.)

) Junca. marís. albe. pís. red. sectare príora.) What do they mean? They sound like the "count-

ing-out" doggerel of children's games.

The Juridical Review — Impor

The Juridical Review. — Important Changes. — In future this excellent Scottish magazine will be published in the months of March, June, September, and December. It is intended also to revive the series of portraits which used to be issued with the magazine, but which were discarded on account of their cost. The editors of the Review are Mr. Wm. C. Smith and Mr. N. J. D. Kennedy, advocates. [\$3.50 per year.]

Scotch Outer House Cases. - Although the greater proportion of the English reported cases are, and have been, those decided by single judges, it is only lately that single-judge cases have been reported at all in Scotland. Why this should be, it is difficult to say, as there were contemporary series of Sheriff-Court reports dated as far back as 1859, and many Outer House cases, which have never been appealed, decide important points. For some years the Scottish Law Reporter's excellent series of reports has included an occasional Outer House case, but it was only six years ago, when the Scots Law Times' reports were begun, that a systematic attempt was made to record these important decisions. An analysis of the first six volumes has just been made, which shows that out of three thousand three hundred and thirty-six cases reported in those volumes over one thousand five hundred are Outer House cases, and as each is initialled and vouched for by the member of the bar reporting it, the utility and importance of the series is very considerable. No library of modern reports can be in any sense complete without the set of six volumes of the Scots Law Times. [Price of six vols., half sheep, \$39.00.]

Dog-French.—Some of the old law French was so far anglicized as to resemble what school boys call "Dog-Latin." For instance, in Fletewood's "Elenchus," of Part XI. of the Year Books, among such puzzlers as

Copie de un fait mre ne ferra grat,

— which is certainly both technical and Frenchy, — occur occasional lines like this:

Butcher punished pur bendition de mesel porke.

"Measly pork" is very thinly disguised in this dress.

Caricatures of Lawyers. — We have a nearly full set of the caricatures published by "Vanity Fair," London, — so far as they represent English judges and lawyers. Their wigs and robes and English, Irish, or Scotch lineaments, render this a striking and amusing collection. There are about 35 framed and 50 unframed portraits, and a few odds.

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This is an age of reprints, which seem to have culminated in the project (see last page of this number) of a full verbatim Reprint of all the English Reports, from the Year Books down to 1865,—the year when the present system of "Law Reports" began. Think of one thousand volumes compressed into one hundred and fifty! How is the compression to be managed—and where can the projectors get enough subscribers to pay the cost? These are the questions which naturally arise in the mind of the average lawyer or bookseller. But the perusal of the very clever eight-page circular of the publishers fully answers the first question, and tends to persuade the reader to aid in solving the second query by subscribing for the reprint himself.

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lish precedents.

What are you going to do for summer reading? If you own the bound set of The Green Bag you have a treasury of "Half-Hours with the Best Lawyers," which will solace your leisure hours from now on to October. Even the current monthly numbers will provide a few days' good reading; but the bound set will answer for the season, and leave entertainment over for winter evenings. The "reprint edition" of The Green Bag costs only \$27.50 for the whole eleven volumes; and the annual subscription is \$4.00.

Vol. 21 of English Ruling Cases to be published in July. Its

principal contents are:

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We call especial attention to the topic Power, which has not

been covered in recent text-book literature.

Legal Bibliography.

No. 5, New Series.

BOSTON, MASS.

July, 1900.

NOTES.

Year Book Jingle Interpreted. — In 4 Leg Bib. N. S. we asked (Notes p. 4.):

Year Book Jingle. - In Anno Decimo Sexto of the Liber Assisarum, page 46 of the 1679 edition, these two lines are interpolated in an "Infant" case:

Mes. toft. mol. col. garr. ter. pra. pas. bos. brue mora.

Junca. marís, albe, pís, red, sectare priora. What do they mean? They sound like the "counting-out" doggerel of children's games.

This query has been answered by one of the leading lawyers in Cleveland, Ohio, and by a judge of the Common Pleas in Pittsburgh, Pa., whose names we do not feel at liberty to print. The latter writes as follows:

Editor of Legal Bibliography:

DEAR SIR: In your number of April, 1900, p. 4, you print a query as to certain barbarous hexameters in the

Liber Assisarum, p. 46.

They are not interpolated in an "Infant" case as suggested, but stand between two cases, and have no connection with either. They appear to be mnemonic verses written by some idle conveyancer's clerk in a blank space in the manuscript and printed without its being observed that they do not belong to the book itself.

The first line is made up of abbreviations of various names of divisions or parts of land and the second of similar divisions or parts of land covered with water.

They are all plain enough, except, perhaps, the red. of the second line, which probably stands for redundatas, overflowed lands.

They may perhaps be extended and translated as

"Messuagium, toftum, molendinum columbarium, garreina (i.e., warren) terra pratum pastura, boscus, bruera (i.e., heath) mora (i.e., moor).

"Juncarium, mariscus, alveys (place of sedges) piscarium redundatas, follow the former (that is, put these latter words after those of the first line in drawing deeds)."

Our Cleveland correspondent translates the phrases thus:

"Mes. toft. undoubtedly means messuage toft or improved lands and abandoned lands; mol. might mean molendina mills; col., might come from colo or cultivated lands; garr., from garth, meaning enclosed lands; ter., from terra, lands; pra., from pratum, grazing lands; pas., from pascua, pasture lands; bos., from boscus, timber lands; brue., from bruillus, wooded lands; mora, moorlands; junca., from juncaria, rush lands; maris., from mariscus, marsh lands; alve., river beds; pis., from piscary, fishing rights.

If the manuscript from which the Liber Assisarum was printed is in existence, it would be interesting to find out whether these lines are shown, by difference in inks, or otherwise, to be an interpolation as thus suggested.

A HELP IN NEED.

A Boston lawver recently called on us and ordered a set of Jones's Index to Legal Periodicals. "The price," he said, "is high, but I must buy the book out of gratitude. I wanted to advise a client on a puzzling point of law, and could find no authorities until I struck Jones's Index, where a reference to one of the old volumes of an American law periodical directed me to a complete monograph on the subject, which enabled me to give an opinion at once, and to earn a good fee with little trouble."

This reminds us of the Baltimore lawyer to whom came in distress a country friend who had a case to argue and could find no authorities on his side. The Baltimorian referred to Jones's Index, which directed him to an article where half a dozen cases were cited for, and a hundred or more against, the view the rural attorney wanted to support. A month afterwards the latter burst into his friend's office and shouted: "Thanks to you and to Jones's Index. I won my case!"

"What? - with the law dead against you?"

"Yes, indeed. I took my six cases, and presented them forcibly to the court, while my opponent, who thought he had a dead-sure thing, had failed to fortify himself with cases. And I won the case and pleased my client!"

The moral of these anecdotes is obvious, namely: No library is complete without Jones's Index to Legal Periodicals, 2 vols., \$20 net.

The two objections made to Jones are its price and the fact that the magazines referred to are found only in large libraries. As to the price, it has to be high, because only libraries and the best lawyers are likely to buy the work, - a small constituency. As to the magazines: it is true that the complete collections of bound sets are only found in large libraries; but is it not worth while to be able to find at a glance, in your office, whether the nearest large library contains any articles which will belp you out of a tight place?

And it is not difficult or expensive to get a collection of the magazines most frequently cited. Either a small bar or law school library, or a single lawyer or a group of lawyers in neighboring offices, can afford to buy, among American sets, the "American Law Journal," 6 vols.; "American Law Magazine," 6 vols.; "American Jurist," 28 vols.; "Monthly Law Reporter," 27 vols.; "American Law Register," 47 vols.; "American Law Review," 33 vols.; "Southern Law Review," 11 vols; "Western Jurist," 17 vols.; "Albany Law Journal," 60 vols.; "Central Law Journal," 49 vols.; "Green Bag," 11 vols.; and "Harvard Law Review," 12 vols. English sets are longer and a bit more expensive, but the "Legal Observer," 52 vols.; "Law Times," 80 vols.; "Law Quarterly Review," 15 vols.; and "Juridical Review," 11 vols., are easily obtained.

NOTES.

"A White Man." — This slang phrase of commendation dates certainly as far back as 1644, for this epitaph on a bencher is engraved on a brass plate of that date in the Temple Church, London:

"Here lieth a John, a burning shining light, His name, life, Actions, were all White."

Comparative Jurisprudence. — An interesting work, little known in this country, is Patrick Mac-Chombaich de Colquhoun's "Summary of the Roman Civil Law, illustrated by Commentaries on, and Parallels from, the Mosaic, Canon, Mohammedan, English, and Foreign Laws," published in London, in four volumes, 1849-1860. The preface states that the author's object was "to supply a deficiency in the legal literature of this country" (England), "with respect to the Roman Civil Law. On the Continent there are various works on this subject, but many are inaccessible to readers not acquainted with the modern languages in which they are written, while those which are composed in Latin, require the devotion of much time and labor to their perusal; many of them, too, are intermixed with the local laws of the countries to which their authors belong; in addition to which, it is difficult to fix upon any one work which unites the desiderata of law and legal antiquities: a deficiency which the author proposes to remedy, by combining both in one work."

Part I. is introductory, tracing the origin and rise of the old systems of law; Parts II. to VI., and the Appendix, give what is apparently the most thorough and exhaustive English translation of and commentary on the Titles of the Roman Law to be found in print.

Coke's Second, Third, and Fourth Institutes.—Coke's First Institute, familiarly called "Coke on Littleton," is much better known to lawyers than his other three Institutes (or Parts). First printed in 1628, it passed through three editions before the author died in 1634. Of these the Second edition, 1629, has been said to be the most correct. Other editions were published from time to time, by various editors, ending in England with the 17th edition, 2 vols., 1817. This has been three times reprinted in the United States—in 1823, 1836, and 1853.

The Second Institute was first published in 1642, and again in 1662; the Third and Fourth in 1644.

The Third and Fourth Institutes were reprinted in 1648 and in 1660. The three Institutes were again reprinted in 1669, in 1670–71, and in 1680–81. All these editions were in folio.

The only octavo edition of the Second, Third, and Fourth Institutes was published in 1797, to accompany the 14th edition of the First Institute. These were reissued without change (except in date) in 1809 and 1817, as companion volumes to the 16th and 17th editions of Coke on Littleton.

In the octavo edition, the Second Institute (Ancient Statutes) occupies two volumes; the Third Institute (Pleas of the Crown) one volume; and the Fourth Institute (Jurisdiction of Courts) one volume.

NOTES.

Edition de Luxe of Magna Charta. — Among the few law-books which are printed with especial regard to beauty and ornament is the "Historical Essay on the Magna Charta of King John" (and other charters), by Richard Thomson, published in London, 1829. The "Embellishments" consist of emblematic initials (each fully described in the prefatory "Descriptive List") and of engraved borders to all the pages of the book (no two alike), giving the "Armorial Ensigns" of the Sovereigns, Ecclesiastics, Nobles, etc., connected with the history of Magna Charta, especially designed for this work by W. Hughes and Messrs. Bonner, Mason, and J. Byfield.

This is an excellent book for a present to a lawyer, or from a lawyer to himself. There are various forms of the work, — ordinary size, large paper, chinese paper, etc., — and various bindings.

Colonial Law. — Our new possessions in both hemispheres introduce a new complexity into our legal relations, which requires an entirely novel line of literature in our law libraries. "Burge on Colonial and Foreign Law," 4 vols., 1838, is the English authority, — but it is scarce and high priced. C. J. Farring's "Chapters on the Law Relating to the Colonies," 2d ed., 1 vol., 1893, seems to be the latest English discussion of the subject.

On Spanish Law there are a few good books printed in the English language. Johnston's translation of "Asso y del Rio," London, 1825, and "Schmilt's Civil Law of Spain and Mexico," New Orleans, 1851, are perhaps the best.

"White's New Recopilacion of Laws, etc., of Great Britain, France, and Spain, as to Concessions of Land in their Colonies; and of the Laws of Mexico and Texas," 2 vols., Philadelphia, 1839, combines the Colonial and the Spanish features.

The latest work on the subject is C. S. Walton's "Civil Law in Spain and Spanish America, including Cuba, Puerto Rico, and Philippine Islands," 1900.

CANADIAN LAW BOOKS. Published since April 1, 1900.

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NOTES.

Blackstoniana. — The collection of Blackstone's Works, of which we spoke in 6 Leg. Bib., was sold before we could prepare a list of editions for publication. For such a list we must now wait until we can make up another collection equally complete. There are some interesting features to be brought out, for instance, early rival editions by different editors; and the antenatal germ or genesis of the Commentaries in Blackstone's "Analysis of the Law of England."

Ancient Study of the Law.— The elementary treatises used by English law students four hundred years ago are thus quaintly described in the preface to a law book published in 1534:

wyllyam Rastell to the gentylmen studentes of the law. — Yow commodyous and profitable unto gentilmen studentes of the law, be these thre bokes, that is to wit. Patura brevium, The olde tenures, & the tenures of mayster Lyttylton, experience probeth and the bookes them selfe declare. For lyke as a chylde goynge to scole, fyrste lerneth his letters out of the a, b, c: so they that entende the study of the law, do fyrste study these. iii. bokes, as in whiche be conteyned many the groundes, principles, and maximis of the lawe.

Latin Law Versicles. — John of Salisbury, a contemporary of À Becket, has the following verses on the origin of the term "Chancellor":

"Quærendus Regni tibi Cancellarius Angli Primus sollicità mente petendus erit. Hic est qui Regni leges cancellat iniquas Et mandata pii principis æqua facit. Siquid obest populo. vel moribus inimicum, Quicquid id est. per eum desinit esse nocens." 1 Colquhoun's Roman Civil Law, 273, note.

Can any recent A.B. among our readers put this into English verse?

And here is a metrical peroration to the "Prologus Johis rastell," of the first edition (1514?) of "Liber Assisarum":

"Si iuuat anglorum reuerendas discere leges Et cupis ex paruo discere multa libro Chalcographi Rastel studiosos nosce labores Et libru assidue, plege, doctus eris."

Error in Fact. — English lawyers are not always infallible. The Attorney General, arguing in the Queen v. Millis (10 Cl. & Fin. 5+6), says: "In Lyndewoode's Provinciales, which was written in 1446, though not published till 1679 . . . etc." As a matter of fact Lyndewoode was printed in 1483; and a dozen times thereafter in England before 1679.

NOTES.

Competition among Booksellers.—John Worrall, Bell Yard, in the preface to his 1746 catalogue says:

I have always been careful of offending my Brethren and therefore fixed the full Price of most Books especially the old Ones, they being often very scarce, not intending to impose on any One, but, to shew their utmost Price; this I am sensible has hurt my self most, it being insinuated by some of the Trade, that they under-sell the Booksellers at Temple Bar, and when it is in their Favour, produce my CATALOGUE as their Voucher. Whereas the Booksellers near Temple Bar, being Proprietors of the Copies of a great Part of the Law Books and having more frequent opportunities then Others of buying Libaries in that Science, can afford and do sell them New or Old of any Editions whatsoever as cheap if not cheaper than others.

Old-fashioned Diction. — The formal and grandiloquent style of letter writing and dedication in the eighteenth century is shown in this letter, found in a first edition of Branch's Maxims (1753), recently received by the Harvard Law School Library:

Hon'ble Sir. I should not presume to dignify anything of my own, by presenting it to so learned and Honorable an inspection, but the materials of this Collection being in themselves noble, and the offspring of your Illustrious Predecessors in Judicature, my arrangement of them in greater number than I had ever seen them, made me hope I should not displease by this mean, but very grateful, ernest, of being with the utmost respect,

Hon'ble Sir

Your ever obliged & most dutiful Servant,

THO. BRANCH.

The Hon'ble Sir Michael Foster.

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EDITORIAL.

New Retail Salesroom.—For the convenience of lawyers we have opened a branch salesroom in the basement of Barristers' Hall, directly opposite the front entrance to the Court House on Pemberton Square.

The Newest Generation.—This is "swarming time" with the law schools. During the next month about five thousand students will be graduated and will start at the foot of the ladder of fame. If each one does his duty and equips himself with Rawle's Revision of Bouvier's Law Dictionary, he will be ready for any kind of case or client.

A New Catalogue. — To be ready for the rush, we are getting out a new Catalogue of Law Books, giving a price list of all text-books now in the market, with a new feature in the shape of a chronological index, which will show at a glance how late and up-to-date each book is.

Unexpected Success. — We are rather surprised at the prompt and wide response to our announcement of a Full Reprint of all the English Reports. We thought some of the smaller libraries might take it, and a few lawyers; but the large libraries are also subscribing because they can duplicate their present collection in small space at less than the cost of rebinding their original copies, and a large number of lawyers are entering their names for the whole set or for separate courts.

Danger of Supply Running Out. — We have already had to increase our order for the United States market fifty per cent., and as the Reprint is not electrotyped, and only a limited edition has been printed, we expect to see shortly our supply cut off. The English price has already been raised, — but we will not raise ours yet, though reserving the right to charge new subscribers a higher rate at any time without notice.

Marshall for the Last Time.— The echoes of 'Marshall Day" have not yet died away, for The Green Bag will give in its April and May numbers an interesting résumé in the form of a connected biography of the principal memorial orations, delivered on that anniversary throughout the country. The frontispiece of the April number is a reduction of Klackner's beautiful reprint of St. Memin's life-size portrait of Chief Justice Marshall, with a tinted background, which gives a striking effect to the picture.

Good Books Cheap. — To be quite in the fashion of the day, we have issued a cheap edition of the recent (third) editions of James Schouler's standard treatises on Wills and on Executors, binding the two volumes in buckram, and selling them together for eight dollars, thus bringing them right down within the means of the young lawyer starting in practice.

NOTES AND QUERIES.

For Year-Book Scholars. — From Providence we get this question. Can any of our readers locate the citation?

"In the introduction to Merewether and Stevens on Corporations (p. xxxviii) it is stated that the first case in which the courts of law (p. 1013) laid down the modern doctrine as to municipal corporations, occurred in the sixth year of Edward IV., 1466, when it was held in the Common Pleas that 'if the King gave land in fee-form to the good men of the town of Dale the corporation was good. And so likewise where it was given to the burgesses, citizens, and commonalty, 'etc. Upon turning to the page referred to, 1013, headed 'Ninth Year-Book Ed. IV..' the marginal reference is '1467, Fol. 76, H. T.' a case of trespass turning on above point. I find that Hil. Term, anno VI., E. IIII. has but 12 folios. Can you throw any light on the subject, or tell me where I can find this case of the men of Dale?"

The First Edition of Coke's Reports.—Has any one of our readers a sure-enough first edition of all of Coke's Reports? If so, pray send us a note of the dates of first publication of Parts I. to IV.

The "Lawyers' Reference Manual" says: "Parts I. to XI. were first published in French at different times between 1602-1615 (Lincoln's Inn Catalogue), or 1607-1615 (Harvard Law Library). Parts XII. and XIII. were not published until 1656-1659.

But Ames and Herbert (Typographical Antiquities, p. 1304) say that Thomas Wight printed the first part Jan. 1, 1600.

We have imprints as follows:

Part I. 1609. Part VII. 1608.

"II. 1610. "VIII. 1611.

"III. 1610. "IX. 1613, 1615.

"IV. 1610, 1618. "X. 1614, 1618.

"V. 1605, 1607, 1612. "XI. 1616, 1619.

" VI. 1607.

Part V. appears to be in two divisions, with separate title-pages. Apparently the following are first editions:

Part V. 1605. Part IX. 1613.

'' VI. 1607. " X. 1614.

'' VII. 1608. " XI. 1616 (?).

Evidently our Parts I. to IV. are reprints. If Ames and Herbert are right, we might conjecture annual Parts I. to IV., from 1600 to 1604 (with one year skipped), as the first issues.

From the dates noted above it would appear probable that as each volume appeared in its turn, the publishers reissued the previous volumes with a new date corresponding with that of the last volume then issued.

NOTES AND QUERIES.

More Light on Norman-French Law. — Mr. Harwood, in his preface to the octavo Year-Book of 32-33 Edward I., refers to a work not generally known in America, as being important from the light it throws on some of the sources of English law. It is entitled:

"Les Olim, ou Registres des Arrets . . . St. Louis, Philippe le Hardi, Philippe le Bel, Louis le Hutin, et Philippe le Long," 4 vols., quarto, Paris, 1839–1848.

Is there a copy of this work in any of our law libraries? We have a copy on our shelves, but have not seen another in America.

Changes in Periodicals. — The North Carolina Law Journal (new), Nos. 1 to 7, had a page in which the printed matter measured about $4\frac{1}{4} \times 7\frac{1}{4}$ inches. With No. 8, October, 1900, the page was diminished to $3\frac{5}{8} \times 6\frac{3}{8}$ inches. The volume when bound will, therefore, be irregular in size.

Nov. 15, 1900, there was issued in Dublin No. 1, Vol. I., of The New Irish Jurist and Local Government Review, to be issued weekly with two systems of paging, one for editorial matter and one for reports, in each number.

In January, 1901, The Cape Law Journal, which had been published under that title for seventeen years at Grahamstown, Cape of Good Hope, assumed the name of The South African Law Journal.

CORRESPONDENCE.

Practical Appreciation. — A firm of lawyers writes us from Pleasanton, Alameda Co., Cal.: "We receive your valuable Legal Bibliography, and as an appreciation we send you herewith \$4 for subscription to The Green Bag, to commence with the next number."

This is the kind of letter which encourages us in compiling, printing, and mailing the quarterly numbers of Legal Bibliography.

From an Old Subscriber. — Here is appreciation, founded on experience, from a leading lawyer of St. Louis, Mo.: "The Green Bag continues to be interesting, and affords me both pleasure and instruction. I hope your subscription list is increasing, and that lawyers throughout the country are becoming better acquainted with this entertaining and interesting periodical."

Value of the English Reprint. — From San Antonio, Texas, comes this letter: "I am very anxious to secure your Verbatim Reprint of English Reports. Your publication will do more to revive true legal learning than anything that has been given to the profession in a century. The present trouble in the United States to-day is that we have too many worthless reports, written by judges who have no opportunity to correct the original sources of legal knowledge and learning. But a small percentage of the present generation of lawyers have ever had an opportunity to look into an English report. I bid you God-speed and wish you abundant success."

PUFFS.

Key to Blind Citations.—If you ever run across citations that puzzle you, the little volume entitled Abbreviations used in Law Books (\$1.50) will set you right and solve your doubt without further search. It is the reader's and briefer's handy guide.

Massachusetts Courts. — Wm. T. Davis's History of the Judiciary of Massachusetts (cloth, \$2.50) is the kind of book not often published; usually neglected while in print and obtainable, and then eagerly sought for at extravagant prices when the edition is exhausted and the book out of print and scarce.

Common Law Pleading and Procedure.—The best introductory book on this topic is the recent work by Judge Martin of the Missouri State University Law School (sheep, \$3.50). Being written mainly for the use of students who are to practise in code States, it had to be simple, clear, and concise. It is all this, and fills admirably the requirement of giving our young lawyers a good knowledge of the essence of the old system, to qualify them thoroughly for understanding our reformed procedure.

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Good Stayers. — Most law books are like most novels, ephemeral. They sell (if at all) for a while, and then the sale stops. A few are perennial. They sell at the outset and their sale continues, even when one would think the market must be filled and saturated. Such a book is Bouvier's Law Dictionary. The demand for Rawle's Revision is just as great as ever, — a regular steady sale all over the country. Part of this sale comes undoubtedly from young lawyers just admitted, — but there are also an amazing number of older lawyers who do not wake up to the merit of a new book or a new edition until every one else has bought it.

Want to Swap Books? — We do a good deal of trading new books for old. For instance, we take old editions of Bouvier's Law Dictionary in part trade for the new edition. We will make a proposition to trade for almost any old books offered to us. We have got an overstock of a few books (such as Pulling's "Order of the Coif," an interesting historical work, treating of early English legal customs) which we will trade for almost anything we can sell. Have you the trading instinct? If so, suggest your swap.

Quick Work.—The English Reports Reprint was announced last summer, but not actually started until January. The volumes were to appear monthly,—and so far they are prompt per programme. Vol. 4 will be out this month. Thirty days for setting up, correcting, printing, and binding a volume of fifteen hundred double-column pages of fine clear type is a good record of work—fifty pages a day, right along.

[The following extract is taken from a singular book entitled "The Biographical History of Sir William Blackstone," published at London in 1782.]

THE LAWYER'S FAREWELL TO HIS MUSE.

(Written in the year 1744, by Sir William Blackstone, Knight.)

This celebrated poem, being replete with good sense and elegance of language, as well as harmony of versification, and printed, we believe, only in a miscellaneous collection, consisting of several volumes — for these reasons, we shall gratify our poetical readers, at least, we hope, by the insertion of a genuine and correct copy of it.

AS, by some tyrant's stern command, A wretch forsakes his native land, In foreign climes condemn'd to roam An endless exile from his home; Pensive he treads the destin'd way, And dreads to go, nor dares to stay; 'Till on some neighb'ring mountain's brow He stops, and turns his eyes below; There, melting at the well-known view, Drops a last tear, and bids adieu: So I, thus doom'd from thee to part, Gay Queen of Fancy and of Art, Reluctant move, with doubtful mind, Oft stop, and often look behind.

Companion of my tender age, Serenely gay, and sweetly sage, How blithesome were we wont to rove By verdant hill, or shady grove, Where fervent bees, with humming voice, Around the honey'd oak rejoice, And aged elms, with aweful bend, In long cathedral walks extend! Lull'd by the lapse of gliding floods, Cheer'd by the warbling of the woods, How blest my days, my thoughts how free, In sweet society with thee! Then all was joyous, all was young, And years unheeded roll'd along; But now the pleasing dream is o'er, These scenes must charm me now no more, Lost to the field, and torn from you -Farewell! a long, a last adieu!

Me wrangling Courts, and stubborn Law, To smoke, and crowds, and cities draw; There selfish Faction rules the day, And Pride and Av'rice throng the way; Diseases taint the murky air, And midnight conflagrations glare; Loose Revelry and Riot bold In frighted streets their orgies hold; Or, when in silence all is drown'd, Fell Murder walks her lonely round: No room for Peace, no room for you — Adieu, celestial Nymph, adieu!

Shakespeare, no more thy silvan son,
Nor all the art of Addison;
Pope's heav'n-strung lyre, nor Waller's ease,
Nor Milton's mighty self must please.
Instead of these, a formal band
In furs and coifs around me stand
With sounds uncouth, and accents dry,
That grate the soul of Harmony.
Each Pedant Sage unlocks his store
Of mystic, dark, discordant lore,
And points with tott'ring hand the ways,
That lead me to the thorny maze.

There, in a winding, close retreat, Is JUSTICE doom'd to fix her seat; There, fenc'd by bulwarks of the LAW, She keeps the wond'ring world in awe; And there from vulgar fight retir'd, Like Eastern Queens, is more admir'd.

O let me pierce the secret shade Where dwells the venerable Maid! There humbly make, with rev'rent awe, The Guardian of BRITANNIA'S Law, Unfold with joy her sacred page (Th' united boast of many an age, Where mix'd, yet uniform, appears The wisdom of a thousand years), In that pure spring the bottom view, Clear, deep, and regularly true And other doctrines thence imbibe That lurk within the sordid scribe; Observe how parts with parts unite In one harmonious rule of right; See countless wheels distinctly tend, By various laws, to one great end; While mighty ALFRED'S piercing soul Pervades and regulates the whole.

Then welcome business, welcome strife, Welcome the cares, the thorns of life; The visage wan, the pore-blind fight, The toil by day, the lamp at night, The tedious forms, the solemn prate, The pert dispute, the dull debate, The DROWSY BENCH, the babbling Hall, For thee, fair JUSTICE, welcome all!

Thus, though my noon of life be past, Yet let my setting sun at last Find out the still, the rural cell Where sage Retirement loves to dwell! There let me taste the home-felt bliss Of Innocence and inward Peace; Untainted by the guilty bribe; Uncurs'd amid the harpy-tribe; No orphan's cry to wound my ear; My honor and my conscience clear; Thus may I calmly meet my end, Thus to the grave in peace descend.

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We have issued some effective pictures in former years, as premiums for subscriptions to The Green Bag; but the most effective of all, we venture to say, is the etching of Chief Justice Jay, just published.

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of Goods: Contract. - Statute of Frauds," is given the

Rule. — Where a contract is intended to result in the transfer, for a price, of the property in goods from one of the parties to the other, it is a contract for the sale of goods.

After the Rule comes the leading case, or several cases, "leading," modifying, or "ruling," PRINTED IN FULL, and thus ready to be taken into court and read as authority.

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A better understanding of the plan of the series may, perhaps, be imparted, by giving this extract from the Table of Contents of Vol. 23, covering the "SALE OF GOODS":

```
1816. No. 18. Litt v. Cowley. (Stoppage in transitu. - Notice to
                     SECTION I .- CONTRACT. STATUTE OF FRAUDS.
                                   Lee v. Griffin. (Contract. — Sale of goods. — Work
and labor. — Statute of Frauds.)
[English note, ½ page; American note, ½ pages.]
Eichholz v. Bannister. (Sale of goods. — Implied
                                                                                                                                                                                                                           carrier.
1861. No. 1.
                                                                                                                                                                                                                      [English note, 2 pages; American note, 1 page.]

Ellis v. Hunt. (End of transitus. — Possession by agent of consignee.)
                                                                                                                                                                              1789. No. 19.
                                                                                                                                                                                                                     Ellis v. Hunt.
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NOTES.

Removal. — In April we announced the opening of a branch office in Pemberton Square. As this will accommodate our city customers and callers, we propose to get better and larger quarters for our ever-increasing stock of books, by moving in September next to Francis Street, three miles out toward Brookline.

It is such a job to move 150,000 volumes of books that we would like to sell as much as possible of our stock before we go to our new quarters. Hence the lists in this number. This is a good time to buy anything we have on our shelves.

Full Reprint of English Reports. — We have been notified that we can only count on getting a few more copies of this Reprint, and as it is not stereotyped, we call attention of lawyers and librarians to the fact that it may go out of print at any time.

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In October we shall issue a new (third) and thoroughly revised edition of Wood on the Limitation of Actions, with notes by John M. Gould. Size and price will be announced in 10 Leg. Bib.

We have received and reissued the balance of the edition of Ames on Forger, an interesting work published in 1899 by an expert in handwriting. It is bound in cloth, and sells for \$2.50.

We also reissue Samuel M. Israell's excellent little monograph on The Liability of Shareholders under statute imposing liability additional to that for stock subscribed. Bound in cloth, 75 cents.

The latest volume issued of English Ruling Cases with American Notes was 23. Volume 24, covering the topics from Search to Telegraph, will be ready in July, and Volume 25, finishing the alphabet, probably in September. There will be one volume of Supplementary Cases and Notes, and one volume containing Index and Table of Cases.

The volumes of the FULL REPRINT OF ENGLISH RE-PORTS come along with great regularity. Vol. 7 is just out, leaving only four more volumes to finish the House of Lords Cases.

NOTES.

Good Notes.— In Vol. 24 English Ruling Cases will be found many excellent notes on topics not so well treated anywhere else. For instance, on Spes Successionis (5 pages), covering all the American cases; and on Telegraphs (5 pages), especially the discussion of Negligence in Transmission and Delivery, wherein our doctrine differs from that of the English courts.

Answers to Queries.—From the librarian of an English college we get the following:

"I notice one or two queries in your Legal Bibliography No. 8, which I am able to answer to some extent:

"i. 'For Year Book Scholars.' The case of the Men of Dale will be found in the Year Book for Hilary Term vii. Edward IV., fol. 26 (the true date being Hil. Term viii. Edw. IV. See note on fol. 25).

"Fee-form is of course a misprint for fee-farm.

"ii. 'Coke's Reports,' 1st part (see its Preface), was published in 1600; 4th part, 1603; 5th part, 1605.

"iii. 'Norman-French Law.' The three volumes (bound in four) of Comte Beugnot's 'Les Olim ou Registres des arrêts tendus par la Cour sans les règnes de Saint Louis, de Philippe le Hardi, de Philippe le Bel, de Louis le Hutin, et de Philippe le Long,' form part of the 'Collection des Documents Inédits sur l'histoire de France, publiés par ordre du Roi et par les Soins du Ministre de l'instruction Publique.'

"Tome i. (published 1838) covers 1254-1273.
"ii. ("1842)" 1274-1318.
"iii. I. ("1844)" 1299-1311.
"iii. II. ("1848)" 1312-1318."

From a Canadian librarian: "In answer to the query from Providence in 8 Leg. Bib. I beg to point out that the citation in question is to be found in the 9th Y. B. Edw. IV., anno vii. Trin. Term 7. In our edition (1680) this is at p. 14 of year 7.

"The marginal reference in Merewether & Stephens is later, on page 1013, and refers to the case found in Anno vii. H. T. 3 (p. 26). In the marginal reference 76 is evidently a mistake for 26."

Similar information comes from a correspondent in Pittsburgh.

A letter from Syracuse points out that the case of the Men of Dale is referred to in 1 Kyd on Corporations, 62, note f, "21 Ed. 4, 56;" and a letter from Toledo, O., cites, "Shepheard on Corporations" (1659) and "The Law of Corporations" (1702) with references to the same case in 4 Edw. 4, 14; 21 Edw. 4, 14, and 21 Edw. 4, 56.

A professor in the University of Wisconsin points out that "Les Olim," though perhaps unknown in our law libraries, can be found in any university library that is strong in the sources of French history.

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ANALYSIS OF LAW LITERATURE.

EQUITABLE GEBÄUDE, BERLIN, GERMANY, June 1, 1901.

CHARLES C. SOULE, Esq. :

My Dear Sir: Recalling our conversation in Boston in regard to Legal Bibliography, I beg to enclose you herewith a "Tentative Analysis" of the whole province of Jurisprudence. The idea was first suggested by the difficulties which I encountered when, after having studied English and American Law, I turned my attention to the study of Roman and German Law here in the University of Berlin. My first attempt to get a clear introductory idea of existing continental systems of law resulted in a hopeless tangle, and to get out it became necessary for me to start at the beginning and trace the modern systems to their source. The central idea, therefore, of this scheme is the grouping of the main divisions of the general subject of Jurisprudence (in its widest sense), as far as possible, in the order of their historical evolution. A glance at the Outline Analysis of Jurisprudence (herewith) will show the manner in which it has been attempted to work out this evolution: The starting point is the abstract idea of Law, then the first concrete examples of the application of legal principles starting with the laws of antiquity, and then coming down to the nations of the present day. A comparison of these different systems gives us the heading "Comparative Jurisprudence" so called. This comparison brings out the points of agreement and disagreement between the laws of different states, thus giving us the next heading of "Conflict of Laws or Private International Law," from which one proceeds naturally to the youngest branch of existing jurisprudence, "International Law," still in process of formation and development.

Having got thus far, the next problem to be solved was the matter of the sub-divisions under each main heading. The usual divisions of English law are not and cannot be of universal application, and yet in such a scheme as this it seemed necessary that the arrangement of the sub-divisions should, as far as possible, be uniform under all the main headings, in order to lend symmetry to the whole scheme. Moreover, these subdivisions should follow one another in some sort of logical sequence. The best arrangement I have thus far been able to contrive is that which commences with Bibliography, after which come the History and Philosophy of the subject; then the Dogmatic Works (under which may be grouped systematically the whole body of the positive law); next the Sources and Repositories of the Law (including statutes, decisions, etc.); and finally such other sub-divisions as may seem necessary. Among these latter sub-divisions will be found that of Side Lights of History, etc., for the newer scholarship is placing much stress upon the value of the evidence afforded indirectly by other branches of human knowl-

edge.

The purpose of such an analysis is twofold: First, from the point of view of the student of Comparative Jurisprudence, it is very essential that one should have a correct perspective, or, perhaps still better, a "bird's-eye view" of the whole subject, showing the inter-relation of the different branches of jurisprudence, and their comparative or relative importance, not confined to one country alone, but embracing the whole family of nations and the whole course of legal evolution. Secondly, from the point of view of the bibliographer and librarian, the matter of the classified arrangement of books has of late aroused very keen interest, as is evidenced by the schemes of classification worked by Melvil Dewey, Charles A. Cutter, and others.

For the purpose of the student there need be no restraint or limit to classification, the very act of analyzing being of the greatest value. It is, however, questionable whether such a minute analysis is practicable, or even desirable, in the arrangement of a library; and the best method, so far as I have been able to judge, is a classification into a few simple, logical, obvious headings, and a subject and author catalogue under each heading.

I may add that of the various schemes for classification which I have thus far seen, all appear to me to be more or less defective. For instance, the English and American schemes make no adequate provision for Roman and Continental Law; and the authors of Continental Schemes seem to have forgotten that there is such a thing as Anglo-American Law.

The whole scheme as presented herein is of course tentative, especially the working out of the details of sub-divisions under the main headings, and I cannot resist the hope that any suggestions which may come to your notice may also be brought to mine.

Looking forward with interest to your valued criti-

cisms, I remain,

Yours faithfully, James H. Vickery

[Not having space for the full scheme, we give here the general outline and three of the sub-divisions as samples.]

ANALYTICAL DIAGRAM, OR ANALYSIS, COVERING THE WHOLE FIELD OF JURISPRUDENCE.

I. LAW.

- II. LAWS OF ANTIQUITY.
- III. LAWS OF GREECE.
- IV. ROMAN LAW.
- V. CANON LAW.
- VI. CUSTOMARY LAW: BARBARIAN CODES.
- VII. REVIVAL AND "RECEPTION" OF ROMAN LAW.
- VIII. ORIGIN AND DEVELOPMENT OF ENGLISH LAW.
 - IX. Comparative Jurisprudence.
 - X. Conflict of Laws or Private International Law.
 - XI. INTERNATIONAL LAW.

I. LAW. (RECHTSWISSENSCHAFT.)

- I. Bibliography.
- II. HISTORY AND PHILOSOPHY OF LAW.
 - 1. General and Mixed.
 - 2. History.
 - 3. Philosophy (Legal Ethics; Law of Nature).
- III. DOGMATIC WORKS.
 - 1. General.
 - 2. Special.
- IV. Sources and Repositories.
- V. MISCELLANEOUS WORKS. (Monographs, Curiosities, etc.)
- VI. Side Lights of History, etc. (Biography, Philology.)
- VII. LAW JOURNALS AND PERIODICALS.
- VIII. LEGAL EDUCATION. (Admission to Bar, etc.)

VIII. ORIGIN AND DEVELOPMENT OF ENGLISH LAW:

- I. Bibliography.
- II. HISTORY AND PHILOSOPHY OF ENGLISH LAW.
 - 1. General and Mixed.
 - 2. History.
 - 3. Philosophy.

Jurisprudence, continued.

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NOTES.

An American Lawyer in Germany.—Mr. Vickery (the writer of the letter printed in this number, concerning an "Analysis of Jurisprudence," as a basis for the collection or arrangement of a library of Comparative Jurisprudence) was for three years Secretary to the United States Embassy in Germany. Having just opened an "American Law Office" in Berlin, in connection with leading lawyers in New York, he has had his attention called especially to continental, or modern, civil law as viewed from our American standpoint. His letter will be read with interest.

New Law Periodicals. — We notice two new ventures in this line, both taking up again names of noted periodicals of the last generation. One is "Bench and Bar, a Monthly Legal News Journal," a quarto of 16 pages issued on the 15th of each month, and started at Chicago in January, 1901. The other is "The Southern Law Review," to be published monthly from June 1, 1901, in Atlanta, Ga., under the editorship of Hon. Wm. R. Hammond.

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BOSTON, MASS.

OCTOBER, 1901.

NOTES.

[Almanac for October.]

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Fees will be humming.

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.B10.N

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Our usual annual lists of the latest volumes of all American and foreign reports, digests, statutes, local treatises and periodicals (having heretofore fallen into the hands of many persons who either did not care for them, or who used our information without reciprocating by ordering books of us) are this year issued separately, as a "Library Supplement" of eight pages.

This Supplement is sent to all of our regular customers. If any one should be averlacked, as here to not the second customers.

overlooked, we beg him to notify us at once.

WE CALL SPECIAL ATTENTION TO

Our new Catalogue of Elementary Law Books, with Chronological Index (p. 3).

Our Subject Index of the new Law Books published during the year 1901 (p. 2).

Our new Library Check-List of American and Foreign Reports, etc. (p. 5).

Our lists of Bargains in sets of Reports (p. 11), in Modern Text-Books (p. 6), and in Rare and Quaint Old Law Books (p. 9).

Our advertisements as to the most notable law-book enterprise of the new century the Full Reprint of all the English Reports (pp. 12, 13).

The illustrated Green Bag Circular inclosed with this number.

The order slip and return envelope also inclosed, to invite and facilitate reply.

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SUBJECT INDEX TO THE LAW BOOKS OF 1901.

This index includes all the new American and English Elementary law books listed in Nos. 8 (April, 1901), 9 (July, 1901). 10 (October, 1901), and 11 (January, 1902) of Legal Bibliography.

The black figures (e. g., 8) indicate the number of Leg. Bib.; the lighter figures (e. g., 5) indicate the page on which the title will

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Legal Bibliography.

No. 11. NEW SERIES.

BOSTON, MASS.

JANUARY, 1902.

NOTES.

Omissions in our Catalogue.— No catalogue can be perfect,— and we are sorry to say that we accidentally omitted from our new catalogue two recent books, Page on Wills, 1901, \$6.00, and Maclennan on Interpleader, 1901, \$5.00. If you are keeping the catalogue for reference, please add these books in the alphabetical list and also in the index.

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Realistic Indexing.—A new clerk, in indexing a lot of our old English law books, came across the title "Doctor and Student." Not pausing to think that there can be a Doctor of Laws as well as of Medicine, he entered St. Germain's classic under the title "Medical Jurisprudence."

More "Dog French."—This amusing instance of the gradual merging of the old Law French into English is quoted from 188b Dyer (note) by Pollock in his First Book of Jurisprudence, and by Maitland in "English Law and the Renaissance."

"Richardson, Ch. Iust. de C. B. al Assiscs at Salisbury in Summer 1631, fuit assault per prisoner que * * ject un Brickbat a le dit Iustice, que narrowly mist."

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WYOMING REPORTS.— Vol. 1.

THE JANUARY GREEN BAG.

The contents of THE GREEN BAG for January, are:—Roger Brooke Taney (with portrait) . . . F. R. Jones European Divorces while You Wait . J. H. Beale, Jr. The Proposed Penal Code of the U. S., G. C. Speranza Gentlemen of the Jury D. Malloch Legal Conditions in the Island of Negros, W. F. Norris The Legal Status of the Mother-in-Law, C. N. Travous A Century of English Judicature, XI. (Illus.), V. V. Veeder How Torture was Abolished in France, G. H. Westley A Sequence in Crime (Illustrated) . H. G. Chapin Editorial Department.

NOTES.

Query for Literary Sharps.—A correspondent asks: "In 13 Law Magazine 400 (1835) is an excellent review of Merewether & Stephens' History of the Boroughs, and Municipal Corporations in the United Kingdoms, signed M. Who was M? Could it have been Macaulay?

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More Marshall.— Collectors of Marshall literature should not fail to get and file away the two numbers of The Green Bag (April and May, 1901) which contain a very interesting resumé, with copious extracts, of the principal orations delivered in various cities on "John Marshall Day." Excellent portraits of Marshall accompany the articles. These two numbers can be supplied for one dollar.

Another Ohio Claim.— In Fiske & Co.'s "Continuous Law Book Catalogue" we find this entry (p. 361):
"PUFFENDORF'S NATURE & NATIONS, by Samuel Puffendorf of *Delaware*, *Ohio*, English Edition. I vol. 8°. 447 pp. Sheep. London, 1879."

Can this be our old friend Puffendorfius, author of the somewhat celebrated work "De Jure Naturae et Gentium," the last English edition of which was published (according to the catalogues) in London, folio, calf, 1749?

INTERPLEADER.

It is not very often that we can commend to our customers a Canadian book as the best one to use in this country, but there is a signal exception in the case of Maclennan on Interpleader (\$5.00 net), a treatise published in Toronto in November, of which we have imported an edition.

The usefulness of this book on our side of the border lies partly in the fact that it is the latest book and (with the exception of one small English treatise) the only book on the topic, and partly in the fact that United States cases are cited more than any others. The Table of Cases shows by count:—

Australian cases cited					٠	40
Irish and Scotch cases cited						
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English cases cited						630
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This preponderance of citations renders Maclennan on Interpleader, like most of the Canadians who come to the United States, a very useful immigrant.

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Lawyers who have good private libraries ought to give Schouler's History as prominent a place on their shelves as they give to Macaulay and Hume and Bancroft.

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Published since October 1, 1901.

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NOTES.

Picturesque Spelling.—The typewriter seems to suggest and accentuate eccentricities in spelling. The latest slip that has come to our notice is "byzy" for "busy." Try that on the typewriter and see how fascinating it is. Isn't there far more character and meaning in the incorrect than in the correct form?

Who Was the Sculptor? - The librarian of the Law Association of Philadelphia, apropos of the Marshall articles in The Green Bag, writes thus:-

"If your investigations reveal who made the Marshall bust in our library, I would like very much to know it. In the 'thirties a sculptor named Coffee, of Albany, N.Y., offered something of the kind."

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Mediæval Publishers' Tricks. - The issue of old books with new dates is not entirely a modern sin. In 1553 Richard Tottell, just beginning to publish law books, found some copies left over of William Rastell's Registrum Brevium, originally published in 1531. Tottell printed for it a new title-page with the date 1553, but forgot to cancel the old colophon (which bore the 1531 imprint of Rastell), and thus left for posterity proof of his "little dodge."

Lay Periodicals .- Besides law-books, we deal in sets of general periodicals for libraries. The back numbers of nearly all periodicals are out of print, so that we have to glean here, there, and everywhere to make up sets. Have you on your shelves, in closets, or in the garret at home, any old magazines or Proceedings of Societies? If so, make a list of them, and send it to us. Perhaps they may have an exchange or a cash value which would make the labor well worth while.

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SAN FRANCISCO, CAL., Dec. 28, 1901.

Publishers "Green Bag:"—
GENTLEMEN,—I inclose herewith \$4.00, subscription for 1902. Having subscribed for The GREEN BAG from the initial number, I have a right to testify concerning it. It has always been useful as well as entertaining. To enumerate a small proportion of the papers therein which have possessed both of the qualities mentioned would occupy many pages. Among them, however, none has pleased me more than the series under the title of "A Century of English Judicature," by Wan Vechten Veeder. To a thorough knowledge of the subject, the writer brings the charms of literary taste and skill—a combination too graphy found in the hasty journalism of our day. tion too rarely found in the hasty journalism of our day. I remain,

Very truly yours, HENRY H. REID.

LEGAL VIEW OF THE SCHLEY COURT.

Charles E. Grinnell of Boston, whose interesting analyses of the Bram case and the Maybrick case will be remembered, is to have in the February (1902) number of THE GREEN BAG comments upon the Schley Court of Inquiry from a lawyer's point of view. Not undertaking to argue the case itself, he will discuss the difference between the methods of Courts of Inquiry and those of Civil Courts, and their comparative values in arriving at knowledge of facts and trustworthy opinions, as distinguished from legal justice.

The number containing Mr. Grinnell's article will be mailed separately for fifty cents. Subscription to THE GREEN BAG for one year is four dollars, payable in ad-

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BANK OF IRELAND 7'. EVANS' TRUSTEES (V. H. L. C. p. 389)

Note.— Mews' Dig. iii. 780, 1559. 1586, 1587: iv. 1309: vi. 476; x. 118. S. C. 3 W. R. 573. Followed as to estoppel by negligence in Merchants of the Staple of England v. Bank of Eng. (1887) 21 Q. B. D. 160. Distinguished in Bank of Eng. v. Vagliano (1891), A. C. 115; and cf. Mahony v. East. Holyford Mining Co. (1875), L. R. 7 H. L. 899: Arnold v. Cheque Bank (1876) 1 C. P. D. 587; Boxendale v. Bennett (1878), 3 Q. B. D. 530; London & So. West Bank v. Wentworth (1880), 5 Ex. D. 105; In re Cooper (1882) 20 Ch. D. 634: Union Credit Bank v. Mersey Docks and Harbour Bd. (1899), 2 Q. B. 205. Bankers—Trustees—Corporate Seal—Negligence—Bills of Exception—Practice.

[Followed by syllabus and case in full]

GREY v. PEARSON (VI. H. L. C. 61)

Note.— Mews' Dig. x. 973; xiv. 1539: xv. 659, 715, 1027. S. C. 26 L. J. Ch. 473: 5 W. R. 454: and below sub nom. Pearson v. Rutter, 3 De G. M. and G. 398; 1 Eq. R. 352: 1 W. R. 421. On point as to rule for construction of written instruments, followed in many cases, e. g. Abbott v. Middleton, 1858. 7 H. L. C. 81: Thelluson v. Rendlesham, 1859, ib. 459: Ex parte Walton, 1881. 17 Ch. D. 751: Faber Lathom (Earl of), 1897, 77 L. T. 168. On point as to construction of particular will considered in Reed v. Braithwaite. 1871. L. R. 11 Eq. 514: and cf. In re Chant (1900), 2 Ch. 345.

Will-Estates' Tail-Contingencies-Ultimate Limitation-"Die under 21, and without Issue."

[Followed by syllabus and case in full]

SIMPSON v. DIRECTORS OF WESTMINSTER PALACE HOTEL CO. (VIII. H. L. C. 712)

Note.— Mews' Dig. iii. 770: 1016. S. C. 6 Jur. N. S. 985: 2 L. T. 707; and, below, 2 De G. F. and J. 141; 29 L. J. Ch. 561: 8 W. R. 553. On point as to objects clause, considered in Featherstonhaugh v. Lee Moor Porcelain Clay Co., 1865. L. R. 1 Eq. 329: Joint-Stock Discount Co. v. Brown, 1866. L. R. 3 Eq. 151; Horsey's Claim; In re London and Colonial Co., 1868, L. R. 5 Eq. 562: Guinness v. Land Corporation of Ireland, 1882, 22 Ch. D. 373; Henderson v. Bank of Australasia. 1888, 40 Ch. D. 177. On point as to right of action by single corporator, cited in Russell v. Wakefield Waterworks Co. 1875, L. R. 20 Eq 481.

Joint Stock Company - Objects of not to be changed even by a Majority - Costs.

[Followed by syllabus and case in full]

ELLIOTT v. DIRECTORS NORTH EASTERN RY. CO. (X. H. L. C. 334)

Note.— Mews' Dig. v. 353, 355: vi. 351, ix. 1227. 1252. S. C. 32 L. J. Ch. 402: 9 Jur. N. S. 555: 2 N. R. 87; 8 L. T. 337; 11 W. R. 604: and, below. 1 J. and H. 145: 2 De G. F. and J. 423. Distinguished in Great Western Ry. Co. v. Bennett, 1867. L. R. 2 H. L. 38: Midland Ry. Co. v. Checkley, 1867, L. R. 4 Eq. 26; Midland Ry. Co. v. Haunchwood Brick and Tile Co., 1882, 20 Ch. D. 558. Adopted in Popplewell v. Hodkinson, 1869, L. R. 4 Ex. 253: and cf. Richards v. Jenkins, 1868, 18 L. T. 444.

Railway—Subjacent and adjacent support—Mines—Grant of Land, compulsory or voluntary—Injunction, form of Costs. [Followed by syllabus and case in full]

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SEC. I.—Various General Rules. { CASE 1.—ALLEN v. MADDOCK (11 Moores P. C. C. 427-462). [Intended Will—Unattested Paper—Incorporation in Attested Codicil.]

An unattested, or imperfectly attested paper may be incorporated in a will by reference if the terms of the will, attested (if necessary) by surrounding circumstances, are sufficent to identify the paper, and to show intention of giving effect to it.

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CASE 7.- WILKINSON v. ADAM.

4.—KENNELL v. ABBOTT.

8. - DUNDEE (MAGISTRATES, &c., of) v. MORRIS, 4.6

" 5.—In re Boddington, Boddington v. Clariat.

" 6.—Cartwright v. Vawdry.

9.— ELLIOTT v. DAVENPORT. 10.— SIBLEY v. COOK.

II. - COOPER v COOPER.

 $[Will-Construction-Estate-Absolute\ Interest-Family-Legacy-Misdescription\ of\ Legatee-Particular\ Purpose$ — Annuity to Wife—Invalid Marriage—Illegitimate Child—Child existing and reputed as Child—Charity—Death of Legatee-Lapse-Words of Inheritance-Election- Arises at Testator's Death - Married Women-Next of Kin.

SEC. II.— Gifts Vested or Contingent. -

CASE 12.—BORASTON'S CASE (3 Co. Rep. 192-21b).

" 13.—DOE D. WHEEDON v. LEA (3 Term Rep. 41-44).
[Devise — Till attaining Certain Age — Remainder — Vesting.]

Where testator devises real estate to A. until time when B. attains a certain age, and from that time to B. in fee, the fee in remainder is at once vested in B., although he may never attain the prescribed age.

[Followed by 5 pages of Notes, reporting or citing 9 English and 62 American Cases.]

2 additional "Ruling Cases" follow (as noted below), similarly treated, with 8 pages of Notes, and reporting or citing 11 English and 124 American Cases.

CASE 14. - SKEY v. BARNES.

| CASE 15 .- FESTING v. ALLEN.

[Vested Revision — Subsequent Gift Over — No divesting without clear words — Gift to a Class — Contingency — Vesting.]

Lack of space prevents here other than the briefest summary of Sections III., IV., V., VI., as similarly treated.

SEC. III.—Conditions. IV. - Limitations of Estate. SEC. V.—Gifts Over. "VI.—Charges.

[CASES 16 to 37, covering Gift on Condition — Repugnancy — Void Condition — Impossibility — Restraint on Marriage — Valid Condition — Devise — Quasi Estate Tail — Estate for Life — Issue — Context implying use or words of Purchase — Estate by Implication — Gift Over — Rule in Wild's Case — & c., & c.]

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NOTES.

The Startling Typewriter.— In dictating a letter recently, we spoke of a "pithy and pointed recommendation." The phrase came out, "Pythian-pointed." This reminds us of a friend in the early days of typewriting, who tried to learn the art himself. After assiduous practice, he allowed "that it was a great invention, with only one serious drawback," which was that "the blamed machine didn't know how to spell."

The Spelling of Great Men.—This again suggests the quaint ending of the Table of contents to the American 1771 reprint of Blackstone's Commentaries:—

WORDS uncommonly spelled, he is requested, not hastily to blame the American EDITOR; because Report sayeth, the LAST British EDITION was corrected under the immediate Inspection of the learned AUTHOR, and it has of late been the Practice of several great Men to spell many Words in their OWN peculiar Manner.— Therefore, the American EDITOR, to make the American EDITION, a perfect Transcript of the LAST British EDITION, hath adhered to it as literally as possible."

Misplaced Courtesy.—Business correspondence is occasionally enlivened by flashes of conscious or unconscious humor. Thus a letter recently came to us, addressing the President of the Company as "Reverend." At first this seemed a not very courteous joke,—but when it was noted that the letter came from a Hindu or Mohammedan in India, the inference followed that he used the word "Reverend" as we do "Honorable."

Crabbed Copy.—Printers' errors are often amusing and exasperating,—but in justice to the patient compositor many of these must be blamed to the bad handwriting of the author. In this category, probably, ranks the error many of our readers must have noticed in 11 Leg. Bib., by which the heading "English, Irish and Scotch Reports" appeared "English, Irish and French."

American Land Systems.—A Scotch friend writes us for some book or article describing "the American Land System." We find good descriptions of the Public Land System of the United States, but cannot discover any sketch of our private land tenures and transfers which could be intelligible and satisfactory to a foreigner. Can any reader refer us to such an explanation either in separate form, or as a chapter in some larger work?

Fry's Case.— On page 64 of the January 1902 number of The Law Quarterly Review, there is a reference to "Fry's Canadian Prisoner's Case." This important constitutional case "The Queen v. Batcheldor" was tried in 1839—and the decision rendered by Lord Chief Justice Denman. It covers Habeas Corpus, and Colonial Law;—and Fry's report of the case has an introductory essay on Habeas Corpus. The case was published in London at the time in pamphlet form, for 6s. 6d. We have a copy in stock which we can sell for a dollar.

THE SCHLEY COURT REVIEWED.

The March number of The Green Bag (sold separately for fifty cents), is almost entirely taken up by a very interesting article entitled A Legal View of the Inquiry granted to Rear-Admiral Schley and of other Inquiries by Military Courts. By C. E. Grinnell.

Many readers will remember Mr. Grinnell's keen analyses of the Bram Case and the Maybrick Case. In this article, without discussing the facts or the merits of the case, he comments on points of practice and procedure. The captions to his sections are as follows:—

Conflicting Principles — Courts of Inquiry — Dewey's Dissent — Sampson's Equity — Right to Exclude — Open Sessions — Appeal to the President — Exclusion of Command — Task of Judge Advocate — Bias in Examinations — Ingenuity in Advocacy — Evidence of Opinion — Hearsay Evidence — Cross-Examination — Court's Attention — Court's Control — Instructing the Court — Points of Practice — Naval Peculiarities — Disqualifying Howison — Rulings and Arguments — Characteristic Powers — Value of the Case — Legal Results.

WHAT A LAW STUDENT OUGHT TO BE.

In the sententious little volume entitled "The Lawyer, His Character and Rule of Holy Life," in which Edward O'Brien outlines the character of the model lawyer, he has these suggestions as to Choice of a Calling:—

"Ere yet he presents himself a probationer before the guardians of her temple, he pauses and weighs well his fitness for so high and holy a calling.

"And first, he asks, if he have bodily health sufficient hereto? Intense study over the midnight oil, or by the first light of morning's dawn, the disquietude of hot and crowded courts, the exhaustion of long and arduous ad dresses to judges and juries, the care and anxiety attendant upon the conduct of complicated and weighty causes, demand from the Lawyer a bodily frame strong, enduring, and elastic. Be it he have this;

"Secondly, he asks, has he strength of mind sufficient hereto? Not alone the infinite mazes of artificial laws are to be mastered in books; not alone the ill-digested facts of complicated causes, are to be seen through and disentangled, and again in lucid order detailed to the judge or the jury: but the weapons of sophistry wielded by the arm of perverted talent, and the artful devices of chicanery, falsehood, and fraud, sustained by intellectual strength and moral turpitude, are to be warded off and defeated. Be it he have strength of mind for this;

"Thirdly, he asks, has he the moral strength sufficient hereto? Has he patience to undergo, in diligent accumulation of legal store, the tedious discipline of unemployed and unrewarded years: has he temper to endure the irritating attacks of opposing counsel, or the harsh and unmerited reproofs of petulant judges: has he courage to persevere in a good cause against the false affirmations, the willy insinuations, the audacious practices of wicked and ungodly men?"

THE LINES OF A GOOD JUDGE.

[In an article on Sir William Blackstone in 1 American Jurist, we find these twelve characteristics of a good judge. From the context we cannot make out whether they are Blackstone's or Bacon's. Can any reader tell, us?]

- 1. A judge, in maintaining the laws of the realm should be rather heartstrong than headstrong.
- 2. He should draw his learning out of his books, not out of his brains.
- 3. He should mix well the freedom of his own opinion with the reverence of the opinions of his fellows.
- 4. He should continue the study of his books, and not spend upon the old stock.
- 5. He should fear no man's face, and yet not turn stoutness into bravery.
- 6. He should be truly impartial, and not so as men may see affection through fine carriage.
- 7. He should be a light to jurors to open their eyes, but not a guide to lead them by the nose.
- 8. He should not affect the opinion of pregnancy and expedition, by an impatient and catching hearing of counselors at the bar.
- 9. He should speak with gravity, as one of the sages of the law; and not be talkative, nor with impertinent flying out, to show learning.
- ro. His hands, and the hands of those about him, should be clean, and uncorrupt with gifts, from meddling in titles, and from serving of turns, be they of great ones or small ones.
- 11. He should retain the jurisdiction of the court within the ancient mete stones, without removing the mark.
- 12. Lastly, he should carry such a hand over his ministers and clerks, as that they may rather be in awe of him, than presume upon him.

CONTENTS OF THE GREEN BAG.

The contents of the Green Bag for the last three months have been as follows:—

January.—I. Roger Brooke Taney (with Portrait); II. European Divorces while You Wait; III. The Proposed Penal Code of the United States; IV. Gentlemen of the Jury; V. Legal Conditions in the Island of Negros; VI. The Legal Status of the Mother-in-Law; VII. A Century of English Judicature, XI. (Illustrated); VIII. How Torture was Abolished in France; IX. A Sequence in Crime (Illustrated); X. Editorial.

FEBRUARY.—I. Benjamin Harrison as a Lawyer and as an Orator (with Portrait); II. Was Shakespeare Bound to an Attorney? III. The Black Eagle Case; IV. Regrets (Verse); V. The Jury; VI. A Century of English Judicature, XII. (Illustrated); VII. A Strange Experience; VIII. Abraham Lincoln; IX. The Court of Claims; X. A Lawyer's Studies in Biblical Law; XI. Judicial Oaths in Ancient Ireland; XII. Editorial.

March.— I. A Legal View of the Inquiry Granted to Rear-Admiral Schley and of Other Inquiries by Military Courts.

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Because we never are retained

In any kind of pleas.

We pace the House around, around, around, Where litigants abound, abound, abound.

Where fees are rife,

Yet for our life

We cannot take a pound, a pound, a pound.

Ah! little do their clients know,

Who trust to legal skill,

What injury their doers do, Employing whom they will,

And leaving us around, around, around,

No chance to be renowned, renowned, renowned,

Though we have store

Of wit and lore

That might the world astound, astound, astound.

We wonder what their agents think -

Or if they think at all -

Who still employ these little men,

With voice so thin and small,

You scarce can hear the sound, a-sound, a-sound,

While we walk idly around, around, around—

With lungs to make

The rafters shake

And vaulted roofs rebound, rebound, rebound.

As for the clerk of evil fame,

Accursed let him be,

Who tempteth meaner souls than ours

To plead for half a fee —

With emphasis profound, profound, profound,

We execrate the hound, the hound, the hound,

As to and fro

Each day we go

Across the Earthern Mound, a-Mound, a-Mound!

Yet not because we're thus forgot

Downhearted shall we be;

The pluckless soul may yield to grief -

We'll live in jollity!

We'll pass the glass around, around, around,

And thus dull care confound, confound, confound,

Nor heed the fee

So long as we

With mirth and glee abound, abound, abound.

—[From Outram's Lyrics, Edinburgh, 1884,

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San Antonio, Texas.

Your verbatim report of the English Reports has been in use in the Grand Rapids Law Library for some time. The members of this Library have found the work complete and very service-They uniformly commend the publication. entitled to great credit for bringing out the publication, and have conferred a great favor on the bar. There is no criticism Mark Norris, of the work here. Grand Rapids, Mich.

The Full Verbatim Annotated English Reprints ordered through your house is meeting with great favor. Many of the attorneys who work in this library are quickly becoming acquainted with its merits and are making use of the volumes now on our shelves. The convenient form, complete-ness and annotations are features of this work that appeal strongly to the busy practitioner. E. A. Nelson, State Librarian, St. Paul, Minn.

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I take great pleasure in saying a good word for the Annotated Reprint of English Reports for which I subscribed and of which I have now received fifteen volumes. By a careful examination of the volumes I have received, I have become convinced that this publication will prove of incalculable value to the Bar. It will afford them, at much less expense and in much more useful form than could be otherwise obtained, the early English

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Wm. Michael Byrne,

U.S. District Attorney, Wilmington, Delaware.

I have now received at your hands fifteen volumes of the Full Verbatim Annotated English Reprint of the English Reports and I cannot forbear expressing to you the sense which I have of their value to the lawyer. It is necessary, however, that I discriminate. Today the average lawyer, preparing a brief, does not undertake to erect his case upon any reasoning based on the principle which ought to govern it, but, instead, labors with a mechanical diligence to discover some case somewhere (it matters not where), which shall be as closely identical with his own as possible, and, armed with the arbitrary power of precedent as with a bludgeon, expects victory with somewhat of the confidence of the bully. To the average lawyer, therefore, as I have described him, this set of Reports is worth just as much as and no more than any other; the authority of a Cottenham or a Mansfield is on a par with that of any country practitioner elevated to the bench because of his qualities as a 'mixer" and because of the political necessity of recognizing, in the distribution of office, the Rob Roy neighborhood where he lives. But to the student or the studious practitioner (and thank God there a few left,) who can realize the necessity of law as a system of general principles to be applied to the intricate complexity of human life for its government; who can rise even higher and realize the immense wrong and damage which are inflicted upon society by doing "justice," as it is called, (not reflecting that the primary meaning of the term is "in accordance ') between party and party without regard to the logical application of general principles, themselves derived from the profoundest consideration of the true well being of the community,—to such the value of this publication is very great. If the only object of the lawyer, today, is to make money. I would not advise him to purchase your republication, for the reports of Kamschatka will do just as well, if any reports are needed; but if his object be to form or retain the legal mind. I do not know of a better investment. F. W. Griffin,

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"This yeare (1557) in Michaelmas Terme men might have seene in Westminster Pall at the Ringes bench barre not two men of law before the justices: there was but one named Fostar, who looked about and had nothing to doe, the judges looking about them. En the Common Pleas?) no more Sergeants but one, which was Sergeant Bouloise (Benlowes?) who looked about him; there was elbow roome enough, which made the lawyers complaine of their injuries in that terme."

This slack state of practice either had short orbits of recurrence or dated back for a generation; witness the same author's quotation from Ellis's Letters:—

"In 1536 John Rastell the lawyer and printer of law books complains to Cromwell that in both capacities he is in a bad way: he used to print from two to three hundred reams in two years; he used to make forty marks a year by the law and now does not make forty shillings."

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Can any reader explain this mix-up? And especially can any one give us dates and editors of any other editions between 1809 and 1823? We know about the "New Edition" by J. F. Archbold, which was dated 1811, but there must have been one or more other editions between these dates to justify the numbering of Williams' 1821–23 edition.

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NEW LAW BOOKS.

We shall publish in October the following books:-

Conflict of Laws. — Cases on the Conflict of Laws, by Prof. J. H. Beale, Jr., of the Harvard Law School (who is to be Dean of the new Law School of the University of Chicago). 3 vols., half sheep, \$10.50 net. This is an excellent collection, giving about 400 commonlaw cases, and also 75 cases from European countries, Egypt, and South Africa. About 1500 other American, English, and Canadian cases are cited in the notes, besides a large number of foreign decisions. This appears to be a much larger collection of authorities than are cited in any previous book. As in other Harvard case-books, no head-notes are printed with the cases, but the "Summary" of about 50 pages is an excellent guide to their use. (See Contents, etc., on p. 10.)

New Law Books - continued.

International Law. - Prof. James B. Scott of the University of Illinois started several months ago to prepare a new edition of Snow's Cases on Interna-TIONAL LAW. He has developed so much new matter, however, and made such changes, that we have decided to call the work Scott's Cases on International LAW, FOUNDED ON SNOW. His principal improvement has been in substituting decisions of the courts, in instances where Dr. Snow gave dicta from text-books or other sources, - thus stating and supporting every proposition in the words of the judges. We hope to publish this important work about October 15th. The volume will be larger than its predecessor-will be bound in cloth,—and will sell at the same price, \$3.50 net.

Admiralty. — We have imported a limited edition of the THIRD EDITION OF WILLIAMS AND BRUCE'S JURISDICTION AND PRACTICE OF THE ENGLISH COURTS OF ADMIRALTY; revised by Hon. Mr. Justice Gainsford Bruce, and C. F. Jemmett, B.C.L.-in one volume, bound in half-calf, to sell for \$9.00 net. As our American literature of Admiralty is meagre, this new edition will interest all practitioners in that branch of the law.

English Statutes. — CHITTY'S STATUTES OF PRAC-TICAL UTILITY—a set of 13 volumes—was published in 1894. Annual supplements have been issued, but the multiplication of thin volumes is so irritating that owners of the set will be glad to get the CONSOLIDATED SUPPLE-MENT, 1895 TO 1901, which we have just issued in one volume, sheep, price \$10.00 net.

Completion of Ruling Cases.—As announced elsewhere in this number, we have completed English RULING CASES WITH AMERICAN NOTES by the publication of a twenty-sixth volume containing an Index and Tables of Cases, prepared by Richard Manson and revised for American use by John M. Gould (author of Gould on Waters, etc.). This is bound in sheep, uniformly with the set, and sells for \$5.50 net.

We are sorry to say that Young and Keen's Cases ON PLEADING (intended as a companion volume to MARTIN'S COMMON LAW PROCEDURE AND PLEADING) and CHAMBERLAYNE'S American edition on WILLS ON CIRCUMSTANTIAL EVIDENCE are not yet ready. We hope to announce their publication in the January number of LEG. BIB.

We would remind readers who are making full purchases, of the Third Edition of Wood on Limita-TIONS, recently issued in one volume (\$6.50 net), with revision and notes by John M. Gould, and Maclennan ON INTERPLEADER (\$5.00 net), a Canadian work citing American cases.

We again explain that the additional label on the back of RAWLE'S BOUVIER, lettered "A CONCISE ENCYCLO-PÆDIA OF THE LAW," does not indicate any further changes in the contents of the work, but is only intended to call more prominent attention to the encyclopædic features of this most useful work.

INTERNATIONAL LAW.

Although International Law has been repeatedly declared by English and American courts to be part of the Municipal Law of their respective countries (Barbuit's case, 1737, before Lord Talbot; Triquet v. Bath, 1764, 3 Bur., 1478, before Lord Mansfield; The Scotia, 1871, 7 Wall., 170; The Paquette Habana, 1899, 175 U.S. 677), writers on International Law have usually contented themselves with a theoretical treatment, citing, more or less aptly, cases (in the footnotes), provisions of treaties, opinions of diplomats and text-book writers. But the views of text-book writers are not law, and as Mr. Justice Gray said in The Paquette Habana, "Such works are resorted to by judicial tribunals, not for the speculations of their authors concerning what the law ought to be, but for trustworthy evidence of what the law really is." Or, as Lord Salisbury once said: "International Law depends generally on the prejudices of the writers of text-books."

If then, as Mr. Justice Gray maintains, "International Law is part of our law, and must be ascertained and administered by courts of justice of appropriate jurisdiction, as often as questions of right depending upon it are duly presented for their determination," it would seem high-time to treat International Law as a regular branch of Municipal Law, as it is passed upon by the courts, is made by the courts and is recorded in judicial reports.

PROF. JAMES B. SCOTT of the University of Illinois, in undertaking to prepare a new edition of Snow's Cases ON INTERNATIONAL LAW, endeavored to find adjudicated cases on all points treated by the author. His search was so successful that he determined to change the method of treatment to conform to this view of the subject. The new collection, - while founded on DR. Snow's excellent work, and using much of its material. will be so much altered in substance and in treatment. that it will be published under Prof. Scott's name.

Scott's Cases on International Law are wholly derived from adjudicated cases of English and American courts, and although text-books are not neglected, they are not cited in the text, but in notes. Opinions of diplomats and diplomatic incidents are likewise relegated to the foot-notes and the principles which the text-writers and diplomats sought to enforce are to be found in actual decisions of the courts, which are printed in the text. In this way the fundamental principles of International Law are derived from the decided cases.

As some subjects do not lend themselves so easily to this treatment, they are cited in the foot-notes under the appropriate case. Foreign cases are but sparingly cited in the notes, but in the syllabus prefixed to the book, references are given to foreign authorities in which these diplomatic incidents and foreign cases generally are amply discussed. The syllabus supplements the cases by specific references to English, American, French and German works of authority, and at the end of each section of the syllabus, references are given to articles in English, American and foreign journals.

Through this treatment fundamentals of the science may be learned from the decisions of the courts which form the text; while the syllabus will place the literature of the subject at the disposal of the reader so that the book will serve not only as a text-book but as a guide to

further systematic study.

ILLUMINATION OF THE LAW.

A point of noticeable difference between the decisions of English and of American courts is that the latter are generally written by one judge, after discussion by the court in conference, and may be luminous or the reverse, according to the legal and literary ability of the writer; while in English cases it frequently happens that several judges express their opinions, agreeing as to conclusions, but differing as to reasons for the decision. Each judge in a straightforward, matter-of-fact way tells why he concurs. The result is much more many-sided, comprehensive, and suggestive than under our method.

Take, for instance, at random, the case of Ilott z. Wilkes, 25 English Ruling Cases 85, topic, "Tort." The "Rule" of law deduced from the cases by the editor (which is really a terse syllabus) is this: "Where a person for the protection of his property sets instruments which are dangerous to a trespasser, it seems that by common law the right of action of a trespasser who is hurt by such instruments depends on whether he has notice of their being there or not." After statement of the facts and argument of counsel, Abbott, Ch. J., gives his opinion at length, merely on ground of notice, that action cannot be maintained. Bayley, J., concurs, disclaiming any desire to encourage by his opinion the practice of placing spring-guns, with or without notice, but agreeing, so long as such practices are legal, that due notice precludes ground for action. Holroyd, J., concurs mainly on the ground that after notice the springing of the gun was the trespasser's own action for which the owner of the property could not be held liable. Best, J., also concurring, goes further than his colleagues and maintains that spring-guns are not only legal, but necessary, as means for preventing intrusions upon property and destruction of game. Here are four judges, agreeing as to their decision, but so arguing on the facts and the law as to bring up many different phases of the question involved.

In appeal cases before the House of Lords this characteristic becomes even more marked. In Cox v. Hickman, for instance, (19 E. R. C. 323, topic "Partnership") the Lord Chancellor put the following question to the judges: "Are the defendants in this case liable as acceptors of the bills of exchange declared upon?" Justice Blackburn, Baron Channell, Justice Crompton, Justice Williams, Justice Whitman and Chief Baron Pollock replied separately; and later Lord Campbell (Lord Chancellor), Lord Cranworth and Lord Wensleydale delivered separate opinions. Here are nine different opinions on the question whether an agreement to share profits necessarily constitutes a partnership.

This illuminating quality of English decisions gives them distinctive value apart from their weight as precedents.

A Literary as well as Legal Author.— James Schouler, well known to lawyers as the author of standard treatises on Wills, Executors, Etc., is equally well known to general readers through his interesting "History of the United States from the Adoption of the Constitution to the Close of the Civil War" (6 vols. cloth, \$13.50). The critical "Nation" says of this work that there is "no narration of such ample historical scope," and John Fiske calls it "an excellent work, filling a place which no other book pretends to fill."

CYC-DIC.

To emphasize the fact that RAWLE'S REVISION OF BOUVIER'S LAW DICTIONARY (2 vols., \$12.00) is an encyclopædia as well as a dictionary, we added, on the back of each volume recently bound, a third label lettered, "A Concise Encyclopædia of the Law."

MR. RAWLE, in his preface says:-

"This work, as originally prepared in 1839, was more strictly a dictionary of the law. The edition of 1867 was prepared by many hands, and was somewhat of a legal encyclopædia as well as a law dictionary. The edition of 1883 added a large amount of new matter along both lines, but more particularly in the way of an encyclopædia. In the present edition it has been the editor's aim to make the work a complete dictionary of the law, and also to develop it still more fully on its encyclopædic side, extending very largely the lines on which the editions of 1867 and 1883 were based, and he has endeavored by re-arranging titles and by cross-references to unify and harmonize the whole.

"So far as the prescribed limits permit, the important topics of the law have been treated fully, especially those in which the law has shown marked development in the last fifteen years. The present edition contains over 4,000 new works and titles. The new topics (other than mere defined words) and those which have received new treatment number several hundred."

This increasingly encyclopædic character of its contents (together with its established reputation for fullness and accuracy) explains the hold which BOUVIER has on the profession, as the most valuable work in law literature.

TRADES ON BOUVIER.

RAWLE'S REVISION OF BOUVIER'S LAW DICTIONARY is so far superior to previous editions (over a third of the matter is entirely new) that lawyers ought to get it—just as they get every new revision of their State Statutes. But many lawyers cling fondly to their old editions of Bouvier, and hesitate to pay \$12.00 for RAWLE'S REVISION. They ought to give away the old books to young lawyers or students, and buy the latest authorities for their own practice.

But where they dislike to throw or give away the earlier editions, we will meet them half way by allowing as follows in part trade for old editions of BOUVIER, in good sound condition:—

Editions prior to 1867 we allow \$2.00,
" 1867 to 1882 " " 3.00,
" 1883 or later " " 4.00.

making balance due us for RAWLE'S REVISION \$10.00, \$9.00 and \$8.00 respectively, purchaser paying delivery of his book to us, and if he sends cash balance with orders we paying delivery charges of our book to him.

Price already raised.—We warned lawyers when the Full Reprint of the English Reports was begun, that the only way to get any Separate Series was to subscribe before the series began. We were thus able to furnish the House Lords Series and the Privy Council at \$7.50 per volume, to original subscribers. There are only a few of these two series left. We can supply them (for the present) at \$10 per volume for the H. L. Series, and \$8.50 for the P. C. The Chancery Series (Vol. 1 ready about Oct. 10) can still be subscribed for at \$7.50 per volume.

A BREEZY PREFACE ON CASE LAW.

MR. MANSON'S Preface to the Index Volume (published this month) of ENGLISH RULING CASES, is rather more readable than the average Introductions to law books. We quote from it as follows:—

Matthew Green in his poem "The Spleen," written early in the Eighteenth Century, describes —

"Law grown a forest where perplex
The byeways and the brambles vex;
Where the twelve verderers* every day
Are changing still the public way.
And if we miss the way and err,
We grievous penalties incur;
And wanderers tire and tear their skin,
And then get out where they got in."

If this was so when Green lived, the description is much more true to-day, when case law and statute law have multiplied a hundred-fold, - when new provinces, such as mercantile law, insurance, company, and patent law, have been added to the common law, and when the Anglo-Saxon race has spread to all parts of the world. To this legal labyrinth there is but one clue — the clue of principle. "Legal principle," as Professor Jethro Brown well said in his address on the "Purpose and Method of a Law School" (Law Quarterly Review, Jan., 1902),-"legal principle is the thing of supreme importance and value." Led by this guide, from the "mists and errors and tempests of the vale below," to use Lord Bacon's words, we ascend the mountain of truth, and from its vantage ground can survey the whole domain of law lying mapped out at our feet. But knowledge of principle, this wide vision, how are we to attain to it? Professor Brown again gives us the answer, " The study of case law is the one way to know the law." This is his deliberate opinion, and it is shared by most of those who have thought the matter out. America has now, in large measure, made the study of decided cases the principal basis of instruction from the beginning of the course, and in matters of legal education America leads the way. What are the alternatives? There is the text-book - or its oral counterpart, the lecture. There is the digest. There is the moot. Undoubtedly a legal treatise may be instructive and illuminating to a high degree. So, too, to the practitioner on the track of cases, a digest is invaluable as collecting and arranging, in alphabetical, or some other intelligible order, "the codeless myriad of precedent." But in the text-book the law is too condensed for the immature student; in the digest, there is wanting the thread of principle to string together the loose units. The moot is merely an acted case. In the case law method of teaching, exemplified in "Ruling Cases," we have the advantages of the text-book and the digest combined, with something superadded. The law in cases is teaching by examples - the simplest way of all. Each leading or ruling case is an object-lesson, inculcating and illustrating just one principle of law. It is indeed for that very reason that it is chosen, because it sets forth this one principle most clearly and comprehensively, disengaged from any special circumstances. The student can thus concentrate his whole attention upon it. First, there are the facts, so far as material, which give rise to the claim, succinctly stated. Then the question of law is

argued whether those facts disclose a legal right of action; and authorities are cited, one side by counsel affirming, the other side denying the right; and, if well argued, not only the rule, but the reason of the rule, is elicited and emphasized. Then the judge, as judicial arbitrator, declares the law after a critical appreciation of principle and precedent. In this way the leading principle on some branch of law is impressed indelibly on the mind, and it is helped often by an interesting "setting." It may be Lord Barnard's unroofing of Raby Castle to spite his heir, associated with the doctrine of equitable waste, or the romance of the young Englishman who married a Metabele girl with native ceremonies, or the perversity of the Six Carpenters who would not pay for their liquor.

When once we have clearly grasped such a ruling principle, we can easily go on and follow the various extensions of the principle, the exceptions and qualifications each again argued out and illustrated in a concrete case. But the best proof of the popularity and success of the method is its growing adoption. Thus, besides the classic works, Smith's Leading Cases in Common Law, and White and Tudor's Cases in Equity, many recent American or English Collections of Cases carry out this method of case-law-teaching systematically, applying it not fragmentarily to isolated portions of law, but comprehensively and completely to the whole field of American and English case law.

Incidentally, in these volumes, we come upou a bit of history or antiquarianism or some *jeu d'esprit*, showing all the brighter for a somber background. For instance, there is Sir George Rose's celebrated epitaph on Preston, the great conveyancer, wittily reproducing the various terms of art familiar to the lawyer:—

"Stern death hath cast into abeyance here A most renowned conveyancer:
Then lightly on his head be laid
The sod that he so oft conveyed.
In certain faith and hope he sure is.
His soul, like a scintilla juris,
In nubibus expectant lies,
To raise a freehold in the skies."

In the volume dealing with Perpetuities, and the rule against them as affecting executory devises, occurs the case of Cadell v. Palmer. A literary interest attaches to this case, because it is identified, in the tradition of Chancery Bar, with the suit of Jarndyce v. Jarndyce, in Dickens's well-known description of the old Court of Chancery. "The only odd thing about the description," says Mr. Campbell, "is that the absurdity of the procedure is in no way exaggerated. Exaggeration would be impossible." . . .

In Volume XXIV., at p. 135, we find the masterly speech of Lord St. Leonards, in the House of Lords, in Egerton v. Brownlow, dealing with executed and executory limitations in a settlement and conditions against public policy. The subject is not a popular one, but what an intellectual feat they are, these twenty-six pages of closely reasoned argument! No wonder Lord St. Leonards was the pride of the English Bar, and that when he took his seat as Chancellor in 1852, in the old Hall of Lincoln's Inn, an unparalleled crowd assembled to honour him.

^{*} The number of judges in Green's day was twelve.

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"The Enterprise of the Century"	FULL REPRINT OF ENGLISH REPORTS (Current). 150 volumes, \$6.00 per vol.	
The most useful set of Reports	ENGLISH RULING CASES WITH AMERICAN NOTES. 26 volumes \$143.00.	
Law and Equity in one series	MEWS' DIGEST OF ENGLISH CASE LAW. 16 volumes \$96.00.	
The lawyers' Vade mecum	Rawle's Revision of Bouvier's Law Dictionary. 2 vols, \$12.00	
Standards on these subjects	SCHOULER ON WILLS. 3d ed. Sheep, \$5.50. or together, SCHOULER ON EXECUTORS. 3d ed. 2 vols., Sheep, \$5.50. buckram, 8.00	
Standard on this subject	Wood on Limitations. 3d ed., by Gould . 6.50	
Aids in Review or Examination	EWELL'S ESSENTIALS OF THE LAW (for students). 3 vols 7.50 or 6.00	
Legal History and Portraiture	THE GREEN BAG, 1889–1901. 13 vols. 4to, half cloth	
A monthly delight and stimulus	THE GREEN BAG, subscription \$4.00 per year, in advance. An illustrated monthly magazine for lawyers.	
Key to legal monographs	Jones's Index to Legal Periodicals. 2 vols. 20.00	
Public International Law	SCOTT'S CASES (FOUNDED ON SNOW'S CASES) ON INTERNATIONAL LAW. Cloth 3.50	
Private International Law	Beale's Cases on Conflict of Laws. 3 vols., half sheep 10.50	
Brief epitomes of the law for lawyers or students :	MARTIN'S CIVIL PROCEDURE AND PLEADING AT COMMON LAW	
The Standard on this subject	SHELDON ON SUBROGATION. 2d ed 5.00	
A convenient desk manual	Abbreviations Used in Law Books 1.50	
The English Standard Americanized	TAYLOR ON EVIDENCE; CHAMBERLAYNE'S NOTES.	
A practical treatise	3 vols	
For students' use	Browne on Criminal Law 2.50 or 2.00 Davis's History of Massachusetts Judiciary 2.50	
Readable judicial history		
Like a dime-novel	Fuller's French Trials: Impostors, &c 1.00	
Smith's Leading Cases abridged	INDERMAUR'S STUDENTS' COMMON LAW CASES . 1.50	
History of English Law	Pulling's Order of the Coif 3.00	
Covers all English cases	MEWS' ENGLISH CRIMINAL DIGEST. 1897 3.00	
Bits of antiquarian humor	HEARD'S CURIOSITIES OF THE LAW 1.50	
Full of legal lore	WALLACE ON THE OLD REPORTERS (out of print).	
A late work in mercantile law	WILLIAMS'S LAW OF ACCOUNT (English) 3.00	

LEGAL ANECDOTES.

[From a gossippy book by Cyrus Jay entitled, "The Law: What I have Seen; What I have Heard; What I have Known" (London, 1868), we make the following quotations.]

"Parts and poverty," said Lord Chancellor Talbot, "are the only things needed by the law student."

"Pray, my lord," asked a fashionable lady of Lord Kenyon, "what do you think my son had better do in order to succeed in the law?"—"Let him spend all his money; marry a rich wife and spend all hers;—and when he hasn't a shilling in the world, let him attack the law," was the advice of the old Chief Justice.

Mr. Dallas said in one of his speeches,—"Now we are advancing from the starlight of circumstantial evidence to the daylight of discovery; the sun of certainty has melted the darkness." To which Curran retorted, "When a man cannot talk sense, he talks metaphor."

Mr. Serjeant Best was the best counsel in dowager cases that could be employed. It was said of him that owing to his West-of-England countenance, his blue coat with brass buttons, and his general appearance, the jury believed every word he said. Mr. Tilson used shrewdly to say, "never employ a cunning parchment-looking barrister, for a jury will as a rule always think he is deceiving them."

An old barrister was giving advice to his son who was just entering upon the practice of his father's profession. "My son," said the counselor, "if you have a case where the law is clearly on your side, but justice seems to be clearly against you, urge upon the jury the vast importance of sustaining the law. If, on the other hand, you are in doubt about the law, but your client's case is founded on justice, insist on the necessity of doing justice, though the heavens fall." "But," answered the son, "how shall I manage a case where both law and justice are dead against me?" "In that case," replied the old man, "talk round it!"

I recollect Serjeant Manning, a very nervous man, arguing a case before the judges of the Common Pleas. He had a large number of books before him, almost sufficient to constitute a library. While he was reading the report of a case, a number of the volumes tumbled off the table. He said, "My lords, it is reported in two other books in these exact words." Mr. Justice Maule asked, "Are you sure it is exactly the same?" "Certain, my lord." Whereupon Maule replied, "Why hunt for the other books? Read the same case twice more out of the one you have in your hand."

The fault of the present day is, that the majority of barristers think more of fees than of law. Formerly it was all law, and the fees were left to Providence. I once heard an old counsel say that there were three stages in a barrister's life. When he is first called to the bar, and full of spirits and ambition, he cares for nothing but the brief. In the second stage, when he has got a great deal of practice and is well-known to the profession, he cares for both briefs and fees. The third stage, when he has become Q. C., acquired a great reputation, and made a large fortune, he cares only for the fees, and nothing for the briefs—the sight of them makes him almost sick.

The late Lord Ellenborough was an excellent judge, and looked well on the bench. I recollect him sitting on the old court of Q. B., — the counsel who argued before him being first-class men. Lord Brougham was then one of the juniors behind the bar. I remember on one occasion Brougham pronounced a word improperly; Lord Ellenborough alluded to it, and Brougham said, "That is the way Walker pronounces it." Lord Ellenborough replied, "Who's Walker?"

When a witness was perjuring himself in every sentence he uttered, Lord Ellenborough said to him, "You fellow! your swearing is a waste of wickedness!"

As a speaker of the House of Lords, Thurlow was distinguished for the dignity with which he inforced the rules of debate. Upon one occasion he called the Duke of Grafton to order, who, incensed at the interruption, insolently reproached the Chancellor with his plebeian origin and recent admission into the peerage. Previous to this time, Thurlow had spoken so frequently that he was listened to by the House with visible impatience. When the Duke had concluded his speech, Thurlow rose from the woolsack, and advanced slowly to the place from whence the Chancellor generally addresses the House; then fixing upon the Duke the look of Jove when he grasps the thunder, "I am amazed," he said, in a level tone of voice, "I am amazed at his grace's speech. The noble Duke cannot look before him, behind him, or on either side of him, without seeing some noble peer who owes his seat in this House to his successful exertions in the profession to which I belong. Does he not feel that it is as honourable to owe it to these, as to being the accident of an accident? To all these noble lords the language of the noble Duke is as applicable and insulting as it is to myself. But I do not fear to meet it single and alone. No one venerates the peerage more than I do; but, my lords, I must say the peerage solicited me, not I the peerage. Nay more, I can say and will say, that as a Peer of Parliament, as Speaker of this right honourable House, as Keeper of the Great Seal, as Guardian of his Majesty's conscience, as Lord High Chancellor of England, nay, even in that character alone in which the Duke would think it an affront to be considered, but which none can deny me, - as a man, - I am at this moment as respectable - I beg leave to add, I am at this moment as much respected - as the proudest peer I now look down upon. "The effect of this speech," says Mr. Butler, "both within the walls of Parliament and without them, was prodigious. It gave Lord Thurlow an ascendancy in the House which no Chancellor had ever possessed; it invested him in public opinion with a character of independence and honour; and this, although he was ever on the unpopular side of politics, made him always popular with the people."

CATALOGUE OF TEXT-BOOKS.

We will send without charge to any one who asks for it, our Short Catalogue of Elementary Works in General Use. Its distinctive feature, which makes it more useful than other catalogues, is the arrangement of the subject-index chronologically, thus showing at a glance the latest book on each subject.

Supplementary List of Quaint and Interesting Law Books.

[Similar lists, printed in II and I2 Leg. Bib., can be sent if desired to any one who missed seeing them.]

netent Laws and Customs of the Burghs of Scotland, 1124-1589. 9 vols. Quarto. Cloth. Edinburgh. 1868-1892. \$18.00.
nson. Law and Custom of the Constitution. Part I., Parliament. Cloth. Oxford. 1886. Anson. Law and Custom of the Constitution. Part I., Parliament. Cloth. Oxford. 1886. 2.00

Areana Parliamentaria. Precedents . in Parliament. By R. C., etc. 18mo. Old calf. London. 1685 . . . 1.50

Blackstone's Commentaries (with portraits of Blackstone, Lord Somers, Fortescue, Littleton, Coke, Holt, Mansfield, Gilbert, Comyns, and Hardwicke. 4vols. Old calf. London. 1793-1794. 6.00

Botero: Raison et Gouvernement d'Estat. Traduicts par Chappuys. 16mo. Old calf. Paris. 1599 3.00 Old calf. Paris. 1599 3.00
Bracton de Legibus & Consuetudinibus tracton de Legibus & Consuctualmous Angliæ. Folio. London: Tottell, 1569. (In fine condition; good margins; new red half-calf binding) 25 00 froom: Commentaries on the Common Law. 6th edition. Calf. London. London. 1874 2.50

Brunner: Sources of the Law of England. Translated by Hastie. Cloth Brunner.
land. Translated by Land.
Edinburgh. 1888 1.00

Bucknill & Tuke: Manual of Psychological Medicine (Insanity); with an Appendix of Cases. London. Calf.

1.50

Palcher: Abridge-Bullingbrooke & Belcher: Abridgement of the Statutes of Ireland; Edw. II. to George II. Thick quarto; broken calf. Dublin. 1754. . . . 5.00 Bunyon: A Profitable Book upon Domestic Law (Essay for Englishwomen and Law Students). 12mo. Cloth. London. 1875. (With autograph letter of the author) Burke: Romance of the Forum, or Narratives, Scenes, and Anecdotes from Courts of Justice. Second series. 2 vols. Cloth. London. 1854 4.00

[Burrouglis?] History of the Chancery, relating to the Judicial Power of that Court, etc. 18mo. Half-calf. London. Burroughs & Gresson: The Irish Equity Pleader. 3 parts. Boards. Dublin. 1842-1850. 3.00

Campbell: Lives of the Lord Chancelors . . of England. 4th edition. 10

vols. Cloth (uncut). Murray, London. 1856 . 10.00
Campb-11 (Lord), Life of, by Hon.
Mrs. Hardcastle. With portrait. 2 vols.
Cloth. Jersey City. 1881 . 2.00 Care: English Liberties; or, The Free-born Subject's Inheritance (Charters, Statutes, etc.). 4th edition. Old calf. London. 1719. 1.50 Justices of the United States. Cloth. Philadelphia. 1855 150
Gibson: Codex Juris Ecclesiastici Anglicani. 2 vols. Folio. Old calf. London. 1743 600
Gilbert's Forum Romanum. (History and Practice of the High Court of Chancery.) 1st American edition, by Tyler. Sheep. Washington. 1874. 5.00

Ancient Laws and Customs of the Burghs of Scotland, 1124-1589. 9 vols. Quarto. Cloth. Edinburgh. 1868-1892. \$18.00
Anson. Law and Custom of the Constitution. Part I., Parliament. Cloth. Hamilton: The Hedaya, or Guide: a Commentary on the Mussulman Laws. 2d edition, by Grady. Cloth. London. 1870. (35 /-) 5.00

Hardwicke (Lord Chancellor), Life of, by Harris. With portrait, 3 vols. Cloth. London. 1847 4.50 losack. Rise and Growth of the Law Hosack. Rise and Growth of the Law of Nations. Cloth. London. 1882. etc, supersunt. Restituit Spongenburg. Half calf. Berolini, 1830. . . . 2.50 Institutions au Droit Public d'Allemagne. Red calf; gilt. Leipsic, etc. 1766. 2.00

Jay: The Law: What I have seen;
What I have heard; What I have
known. London. 1868. Cloth copy, 1.50 Handsome half-morocco . Keijzer: Précis de Jurisprudence Musu-mane selon le Rite Châfeite par Abou Chodjâ. Texte Arabe, avec Traduc-tion et Annotations. Paper. Leyde. 1859 2.50 Knapp: Biographical Sketches of Eminent Lawyers, etc. Boards. Boston Characteristic Sketches. Cloth. Edinburgh. (No date). 1.00

Legal Profession (The), viewed in the light of its Past History, its Present State, and Projected Law Reform (anon.). Cloth. London. 1873. . 1.50

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CONFLICT OF LAWS.

[We give below the Preface and Table of Cases of Prof. Beale's Cases on the Conflict of Laws, mentioned on p. 2.]

The topic of the Common Law upon which Judge Story has imposed the title, The Conflict of Laws, consists of four parts, different in origin, though closely related to one another in their practical application. The Conflict of Laws is first concerned with the jurisdiction of states,-the extent of their legislative and judicial power, and of the obligation and right of individuals to obey and to take advantage of the legislation of one or another State. These are questions of international law, which should properly be decided in every country in the same way. The topic is next concerned with the creation of legal rights and obligations, as a result of the sovereign action of some state; often an international matter, though the questions involved are rather questions of foreign fact than of law. The next concern of this branch of the law is the recognition and inforcement within one state of rights and obligations which have been created in another state; a question not in any sense international, but to be determined in accordance with the municipal law of the state concerned. Finally, there remains to determine the legal process by which, if at all, the foreign right shall be inforced; also obviously a municipal question.

But though the doctrines which make up the topic, The Conflict of Laws, are of various origin, they all form part of the Common Law of England, and have been adopted as such in the states of the American Union; they are law with us, not because they arose in international comity and usage or in municipal practice, but because they are acted upon in our courts. The name, Private International Law, sometimes applied to the whole topic, is therefore inadequate and misleading.

This collection of cases is the result of seven years' experience in teaching the Conflict of Laws. The arrangement of the subject may be open to logical objections; but there seemed to be sufficient practical reason for the order adopted. Most of the cases here printed were decided in the English and American courts; but valuable cases in the British Colonial courts have also been printed. In these colonies, as in the United States, the principles of the Conflict of Laws are of especial importance, since in them business transactions are seldom confined within state or colonial lines.

Several foreign cases will be found in the collection. So far as the rules of law illustrated by them have their origin in international law, these cases may well be regarded as having persuasive authority in our own courts; cases involving, for instance, the limits of national jurisdiction the validity of a foreign marriage, and the existence generally of foreign-acquired rights. On such questions the views of foreign courts should be carefully considered. It is unnecessary to point out to one familiar with the principles of the Common Law that greater weight should be given to the opinions of foreign courts, delivered in the course of actual litigation, than to the academical speculations of even the ablest authors, when not based on the authority of decided cases. On such questions as the effect, according to our own law, of the existence of a foreign-acquired right, where the problem, as has been pointed out, is one of purely municipal law, the views of foreign courts, administering a different system of law, are of absolutely no weight as authority. Where decisions of this nature have been included, the purpose has been to illustrate and emphasize the difference between the doctrines prevailing in the modern civil law and in our own law.

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BRAMWELL ON PICKETING.

The following extract, from one of Baron Bramwell's speeches in Parliament, is interesting reading just now. We quote from 367-369 of Fairfield's "Memoir of Lord Bramwell, [1 vol. Cloth. London, 1898. \$2.50.]

"I wish to say a few words to your lordships upon this subject, more to lament the existence of what I believe to be a very great evil and mischief than to suggest a remedy for it. I have always said and held that by the Common Law of the land there is nothing unlawful in a trade union. And now there is nothing unlawful in it by statute. I have said the same thing of strikes; they are not unlawful, and they are not even without, in many cases, great justification. I see nothing immoral in them where the only object is to raise the wages of the strikers, and, as you have heard, I have said and do say, there is nothing unlawful in picketing provided that it is lawfully practised. But that is what it never is. I do not know the particulars of the Scotch strike or of the Scotch picketing, but I do not see how your lordships should reasonably have been led into a discussion whether it was a laudable strike and laudable picketing or not, because some of that picketing of which we have heard could not have been lawful under any provocation. If the men received any provocation, about which I express no opinion, the remedy was not to break the heads of those who did not choose to join them, or throw stones at engines and demolish stations. Their remedy was a different one. If the picketers had only done what they pretend and nothing more, that is to say, if they had merely met their fellow-workmen in a friendly way and asked them to join, with nothing but a kind of persuasiveness in their manner, nobody could have objected to it; they would have a perfect right to propagate their own opinions, and try to get persons to ally themselves with them. But that picketing would not pay: it would not be worth the trouble to picket in that way. The picketing must be of such a character as to inspire terror. That is the object of picketing, and it is attained tolerably well in many cases. I tried twenty years ago a picket case in connection with a tailors' strike, which was for no other reason than an increase of wages. They would, I dare say, have said that they had picketed in the mildest possible way. Mr. Hardinge Giffard, Q.C., defended one of the picketers, and he will be able to tell your lordships whether I am exaggerating. The men who had not joined in the strike were in such terror of these pickets that they did not dare to take their work home to the master tailors; they got their wives to do it in many cases, and it was pitiable to see the women in the witness-box - they were in the greatest possible terror, and described the treatment they had met with to be of such a character that it was not surprising they were in that condition of alarm in which they exhibited themselves. It matters not that there is no blow given - though I believe there are few cases of extensive picketing in which there is no blow given; if the conduct of the pickets were such as to excite terror in the minds of those picketed, and to deter them from doing their lawful work, I say it is an intolerable wrong and mischief both to the men who desire to work and to the community. I do not know what the remedy for this is. You could not put down trade unions if you would, and I for one would not; on the contrary, I take the liberty of saying before your lordships what I have said before in open court: if I were a working-man, I should be a unionist. I think that trades unions are useful institutions, and I would strike for good cause. You cannot get rid either of trades unions or of strikes. You have got now an excellent law against unreasonable intimidation - if one may use such an expression - if we can suppose there ever was any reasonable intimidation; the difficulty is in reaching the offenders and protecting those persons who are injured and oppressed by it, and the only thing that I can suggest as a remedy for what I believe to be a most serious mischief is that the law should be inforced, and people taught that they could not safely break it."

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favor by showing it to other lawyers.

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PORTRAITS OF GREAT ENGLISH JUDGES.

We have issued a handsome circular of forty pages, bound in cloth inlaid with small portraits, and containing fifteen full page half-tone portraits of famous judges. The letter-press of the circular contains complete information in regard to English Ruling Cases with American Potes, and is intended to advertise that series, which has just been completed by the publication of a twenty-sixth volume containing a Subject Index and Tables of English and American cases reported in full or cited in the notes.

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Lord Chancellor Loughborough.	1733-1805
Chief Justice Ellenborough.	1750-1818
Lord Chancellor Eldon.	1751-1838
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- Any one who owns English Ruling Cases or the Full Reprint of English Reports.
- Any one who will seriously consider the purchase of either of these sets.
- Any one who will send us a cash order for at least \$10.00 worth of books mentioned in this number.
- 4. Any one who sends us a subscription to THE GREEN BAG.

LIBRARY SUPPLEMENT FREE.

As most of our readers are not particularly interested in the latest volumes of American, English, and British Colonial Reports, Digests, Statutes, Periodicals, and Local Books, we have printed the lists containing this bibliographical information for the year 1902 in a Separate Supplement, not mailed with our regular edition of 15 Leg. Bib.

To librarians, owners of large private libraries, or any other lawyers interested in this Supplement, we will take pleasure in mailing it without charge, on application.

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THE GREEN BAG: - AN IDYL.

Across the shelf by my desk at home, close to my elbow, stand the dark green volumes of THE GREEN BAG. Not in red morocco,—ah no!—that sumptuous binding is far too costly for a young practitioner who has wife and babies to support. The solid cloth binding of the "Reprint Edition" is good enough for any one not counsel to a Trust. For is not the inside—the heart and soul of the

set—the same in either garb? The smooth paper, the fair page, the readable type, the excellent illustrations, the varied and alluring contents,—all these my slender income can command.

"The binding 's but the guinea's stamp,
The Bag 's the gowd for a' that!"

I have an idle or a lazy moment - I want my mind to unbend from its strain of legal thought; I seize at random a volume from the set. Perhaps I chance upon a description of my law school, with the kindly faces of the old professors looking out from the page; perhaps I open at an article on the State court whose decisions I have just been mulling over; perchance I dip into a gossippy biographical sketch of some old legal worthy -- some halfforgotten leader of the bar - some great judge. Or, here is a famous trial reviewed; the courts or legal processes of another age or another country described; an antiquity or an eccentricity of our own law amusingly discussed. Sometimes, when my mind is (or I want it to be) utterly empty, I just turn the pages and look over the legal portraits, - a picture gallery of the strong intellectual faces of the English and American Bench and Bar - yielding in themselves companionship, recreation, stimulus, and enthusiasm. Or, again, needing spur to my spirits, I dip in among the anecdotes and jokes, or laugh softly over such humorous verses as "Legal Maxims" (1 G. B. 39):

"Oh Themis, goddess of the law, to whom we bow the knee! Thy precepts and thy maxims we study faithfully.

We con them o'er with reverend care,

But still, I must submit, That in the practice of the law

They sometimes fail to hit.

"'Non dormientibus leges subveniunt,' I read,
And got this fine old maxim well planted in my head:
But soon I learned it had been held
All in the Mass. Report
That passengers in sleeping-car
Could action bring in tort.

"' De minimis non curat lex,' I read in many a book, So with ideas well enlarged, for mighty things I'd look, But when for ten cents suit was brought

For shirking fare in car,

I thought our dear old Mother Lex
Amavit minima!

"'Within a Court of Equity with clean hands one must come,"
A rule which should apply to all, but only does to some;—
For oft, on gazing round the Bar,

I've seen most awful 'paws,' Whose owners still got Equity.

Its remedies and laws.

"'Wherever marriage is, in truth, a dowry you will find;'
In early youth this pretty phrase full greatly pleased my mind;
But some time after knot was tied

I looked her assets o'er,

And found my wife had quite forgot

This little form of law."

CHORUS. "But desperandum nil! Oh, desperandum nil! Tramp bravely on, my brothers, in the grand old legal mill."

And so, for every mood of leisure, or fatigue, or lowspirits, I find in these volumes of The Green Bag something to revive, to refresh, to rest, or to recreate me. They furnish countless vacations to my days of labor.

SAMUEL SLOPER, Atty. at Law.

CONTENTS OF THE GREEN BAG.

To enable our readers to realize what an instructive and entertaining variety of matter THE GREEN BAG gives to its subscribers, we give below its principal contents for the last three months, and for the coming month.

OCTOBER, 1902. — Aaron Burr as a Lawyer (with portrait); The Control of Trusts; A Question of Law (verse); Landmarks of Chinese Law; Lawsuits Against Animals; The Library of the Middle Temple (illustrated); A Fight for Primitive Rights; Lord Bowen; A Lawyer's Studies in Biblical Law.

NOVEMBER, 1902. — John W. Cary (with portrait); The Coal Mines and the Law; Ancient Reflected through Modern (verse); The American Bastille; The System of Mezzadria; The Barrister's Shakespeare; The Judicial System of France (illustrated); Was a Good Witness Himself; A Question of Jurisdiction; Legal Ditties (verse).

DECEMBER, 1902. — Chief Justice Taney (with portrait); Qualifications (verse); A Word More as to the Coal Mines; Some Peculiar Laws; Doctrina Placitandi (illustrated); A Posthumous Work of Lord Coke; A Grave Problem; Early English Procedure; The Woolsack and Woolens; A Question of Disputed Guardianship; The Final Trial of the Sifton Murder Case; Gilbertian Lawyers; English Prison Rules, and Remission of Sentences.

JANUARY, 1903.—The January number will have a leading article on Mr. Justice Oliver Wendell Holmes. Besides giving a biographical sketch, the author discusses Judge Holmes's general theory of the law, considers the influence of some of his decisions on the Law of Torts, and reviews many of his more important decisions on other topics. Louis D. Brandeis, of Boston, will have an article advocating the Incorporation of Labor Unions; Chas. F. Beach, Jr., discusses French Law and the French Judicial System; and the first instalment will be given of Van Vechten Veeder's "Century of Federal Judicature." In addition, there will be bright and readable short articles, and the usual editorial matter.

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No. 1 was issued in November, 1894; No. 2 in November, 1898; No. 3 in January, 1900. Since then Leg. Bib. has been issued quarterly. Each number contains lists of the new books of the preceding quarter, with other information about law books. Each January number contains a subject-index to books published during the preceding year.

This bound volume, therefore, gives a contemporaneous record of American and English law literature for the years 1900, 1901, and 1902, together with occasional bibliographical articles.

GOOD WORDS FOR E. R. C.

Since publishing our illustrated booklet about English RULING CASES, we have received the following additional commendations of the set.

Here is commendation from a judge of the United States District Court.

I have your favor of Sept. 6th announcing that the general index and table of cases to the "English Ruling Cases" set will be published and ready about Oct. ist.

I am delighted to have this information. I have been in constant use of the set even without the advantage of the general index and table of cases, and it is needless to say that the general index and table of cases will bring out at once the full value of this excellent collection of cases. It has been of full value of this excellent collection of cases. It has been of great service to me in the use of the volumes as they have come out without the index, and of course I now expect far better

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the cases selected for this series have been cited and followed in courts of last resort in this country, both state and federal, the importance of the set is at once made apparent.

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Yours truly,

HON. C. D. CLARK,

U. S. District Judge, Chattanooga, Tenn.

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I have found E. R. C. a practical set.
JOHN KIVEL, Dover, N. H.

This, from a leading lawyer of Portland, Maine.

I have been a subscriber to the edition of "English Ruling Cases" with English and American notes, bearing the imprint of the Boston Book Co., and have had occasion to examine them with some care The result of the examination has given me a very favorable opinion of their value. I have found collections of selected cases with notes of great assistance to me un my practice and in this class of publications rate the "English Ruling Cases" high.

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For these and many other reasons I do not hesitate to recommend the purchase of the "English Ruling Cases" and remain Very truly yours,

CHARLES F. LIBBY,

Portland, Maine. I have been a subscriber to the edition of "English Ruling

Have you a student in your office? — If so, EWELL'S ESSENTIALS OF THE LAW (Vol. 1, Blackstone Abridged, sheep, \$3.00, cloth, \$2.50; Vol. 2, Pleading, Contracts, Equity, sheep, \$2.50, cloth, \$2.00; Vol. 3, Torts, Real Property, Evidence, sheep, \$2.50, cloth, \$2.00; or the 3 vols. together, sheep, \$7.50, or cloth, \$6.00) is an excellent book to put in his hands.

[From The National Corporation Reporter, Chicago, May 22. 1902.]

BACON'S LINES OF A GOOD JUDGE.

Legal Bibliography N. S. Number 12, published by the Boston Book Company, states that in an article on Sir William Blackstone, in Volume 1, American Jurist, twelve characteristics of the good Judge are found, and that, from the context, the editor cannot make out whether they are Blackstone's or Bacon's. He puts the innocent inquiry, "Can any reader tell us?"

The editor of the Reporter will answer, stating that the twelve characteristics are found in Lord Bacon's letter to Justice Hutton, in tendering him the place of one of the Justices of the Court of Common Pleas. Following is the letter, and it will be found in Bacon's works, by James Spedding, in Volume II. of the American edition of Montague's Bacon, and also in Volume III., p. 1197, of the Library of the "World's Best Literature":-

"Mr. Sergeant Hutton:

"The King's most excellent Majesty, being duly informed of your learning, integrity, discretion, experience, means and reputation in your country, hath thought fit not to leave you these talents to be employed upon yourself only, but to call you to serve himself and his people. in the place of one of his Justices of the Court of Common

"The Court where you are to serve is the local center and heart of the laws of this realm. Here the subject hath his assurance by fines and recoveries. Here he hath his fixed and invariable remedies by pracipes and writs of right. Here justice opens not by a by-gate of privilege, but by the great gate of the King's original writs out of the Chancery. Here issues process of outlawry; if men will not answer law in this center of law, they shall be cast out of the circle of law. And therefore it is proper for you by all means with your wisdom and fortitude to maintain the laws of the realm. Wherein, nevertheless, I would not have you headstrong, but heartstrong; and to weigh and remember with yourself, that the twelve Judges of the realm are as the twelve lions under Solomon's throne, they must be lions, but yet lions under the throne; they must show their stoutness in elevating and bearing up the throne.

"To represent unto you the lines and portraitures of a good Judge":-

[Here follow the "Lines of a good Judge," somewhat differently phrased but substantially the same as those printed on p. 4 of 12 Leg. Bib.]

CASES ON INTERNATIONAL LAW.

After many delays Scott's Cases on International LAW were published on December 22, in a thick royal octavo volume of lxvii and 961 pages (cloth binding, \$3.50). Five years ago, this collection would have attracted little attention, but now that we have become a "world power," with international complications involving us in many places - a new one every month or so the subject is regularly taught in college courses, and is studied, or dipped into, by statesmen, lawyers, and general readers.

NOTES.

The Corner-Stone. - A customer in Lancaster, Pa., writes: "BOUVIER'S LAW DICTIONARY is the corner-stone of legal education, and should be in the hands of every practitioner and student in the law."

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A Didactic Book-plate. — A book-plate in one of the second-hand volumes which has drifted into our stock reads thus:

> " If thou art borrowed by a friend Right welcome shall he be To read, to study - not to lend But to return to me: Not that imparted knowledge doth Diminish learning's store. But books, I find, if often lent, Return to me no more.

"WF Read slowly; pause frequently; think seriously; keep cleanly; return duly, with the corners of the leaves not turned down."

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The limited edition is so nearly exhausted, that this series must shortly be advanced, as are the already completed House of Lords (58 vols. in 11), and Privy Council Series (43 vols. in 9), which now sell respectively for \$10.00 and \$8.50 per book. Only a few complete sets of the entire Reprint (comprising about 1,000 original volumes in 150 books) remain open to subscription at former price of \$6.00 per book, and this price is subject to advance, or the set to withdrawal from sale, without further notice. Special prices to libraries on request.

Typographical errors are amusing to readers, but provoking to authors. In a recent circular of Snow's CASES ON INTERNATIONAL LAW, which twice came under the eyes of the proof-readers, the publishers, and the author, we are humiliated to find an allusion to the "arbiter dictum of a distinguished judge."

Again, in reading proof of Triquet's Case (for the same work), the insertion of a comma after the word "illuminated" in this sentence - "This Act of Parliament was sent to the Czar, finely illuminated by an ambassador extraordinary," - promoted the ambassador from the clerical drudgery of illuminating a manuscript to the proper duties

Not strictly apropos, by the way, this remark of Lord Mansfield, in Triquet's Case, dryly sums up the situation in too many cases of the present day, - "The affidavits on the part of the defense have outsworn those on the part of the plaintiffs."

NEW CASES ON CRIMINAL LAW.

We are just publishing for Prof. WILLIAM E. MIKELL. of the Law Department of the University of Pennsylvania, PART I. of his CASES ON CRIMINAL LAW (cloth, \$3.00 net).

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Another striking feature is the stress laid upon historical development. When the law has remained unchanged, the author has used the earliest practicable case. Where it has undergone a gradual change, he gives cases showing the original doctrine and its developments. When the doctrine is still unsettled, he adds further some wellconsidered case, showing the probable tendency of the

PART I. covers topics as follows: -- Sources of the Criminal Law; The Elements of Crime; The Criminal Intent; Negligence as Supplying Intent; Intent as Affected by Conditions; The Criminal Act; Combinations of Persons in Crime (Principal, Agent, Accessory).

PART II., to be published later, will contain cases and notes on the Common Law crimes and the most important Statutory crimes, including many subjects not covered in other collections, such as, False Imprisonment, Mayhem, and Adultery.

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"The greatest single work in law literature."—THOMAS TAYLOR, JR., Chicago.

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'Greatly assist in knowing what law was and is,"—W.M. BYRNE (U.S. Dist. Atty), Del.

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BLACKSTONE BIBLIOGRAPHY.

In compiling a bibliography of Blackstone's Commentaries, the editions listed below have been found: -

Genesis of Blackstone.

- 1756 Analysis of the Laws of England (anonymous). 12mo. Oxford.
- The same. 2d ed. (anon.?) 12mo. Oxford. 1758 The same. 3d ed. (anon.?) 12mo. Oxford.
- The same. 4th ed. (anon.?) 12mo. Oxford.
- 1762 The same. 5th ed. (by Blackstone). 12mo. Oxford. The same. 5th ed. (pirated). 12mo. Dublin. 1766
- The same. 6th ed. (by Blackstone). 12mo. London. 1771

English Editions of Blackstone.

- 1765 Vol. 1. 1st edition. Quarto. Oxford.
- 2d 66 1766
- 1768 3d 66 66 66
- 1766 Vol. 2. Ist 66 1767 66 2d
- 3d 1768
- " Vol. 3. 1st 1768
- 66 1769 Vol. 4. 1st
- (No 2d or 3d editions of Vols. 3 and 4.)
- 4 vols. 4th edition. Quarto. Oxford. 1770
- (pirated). 12mo. Dublin. 1771 66
- 5th Octavo. Oxford. 1773 66 66 Quarto. London. 6th
- 1774 66 (pirated). 12mo. Dublin. 6th
- 1775 66 7th Octavo. (Portrait.) Oxford.
- 1775 1778 8th
- 66 9th (by Burn). Octavo. (Portrait.) 1783 London.
- 4 vols. 10th edition Anon. (no notes). (Portrait.) London.
- 4 vols. 10th edition, by Burn & Williams. Octavo. 1787 (Portrait.) London.
- 4 vols. 11th edition (pirated). 12mo. Dublin.
- 4 vols. 11th edition, by Burn & Williams. Octavo. 1791 (Portrait.) London.
- 4 vols. 12th edition, by Christian. (13 portraits.) 1793
- 4 vols. "13th edition" (pirated). 12mo. Dublin. 1796
- Notes on Blackstone, by Christian, "to form Vol. 5 1797 of any edition." (Pirated.) 12mo. Dublin.
- 4 vols. 13th edition, by Christian. (13 portraits.) 1800 Octavo. London.
- 4 vols. 14th edition, by Christian. (Portrait.) 1803 Octavo. London.
- 4 vols. 15th edition, by Christian. (Portrait.) 1809 Octavo. London.
- 4 vols. "A New Edition," by Archbold. Octavo. London.
- 1813 4 vols. (In "Bell's Legal Classics".) (Anon.) 12mo. (Portrait.) London.
- 1823 4 vols. 18th edition, by Williams. Octavo. London. (Editions of 1821-22 and 1822 are mentioned in catalogues. Were these the "17th edition?")
- 4 vols. 16th edition, by Coleridge. (Portrait.)
- Octavo. London.
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- 1827? Supplement (2d edition?) to Vol. 3 of the 17th edition, by Petersdorff. Octavo. London.
- 1829 4 vols. 18th edition, by Lee, Hovenden & Ryland. (Portrait.) Octavo. London.
- 1830 4 vols. "17th edition," by Christian, etc. (Portrait?) Octavo. London.
- 1836 4 vols. 19th edition, by Hovenden & Ryland. (Portrait.) Octavo. London.

1841 4 vols. 20th edition, by Stewart. Octavo. London. First published in separate volumes, entitled, "Principles of the Law of Real Property." London, 1837. 2d edition. 1840.

Rights of Persons. London, 1839. Private Wrongs. London, 1840. Public Wrongs. London, 1841.

- 1844 4 vols. Stewart's Blackstone. 2d edition. Octavo. London.
 - 4 vols. by Stewart:-
 - Vol. 1. 22d edition. Octavo. London. Vols. 2, 3 and 4. Octavo. London.
 ? Supplement, by 'Williams. Octavo. 1844
 - 1848 London.
- 1854 4 vols. 23d edition, by Stewart. Octavo. London

Works Founded on Blackstone.

- Stephens' Commentaries. 4 vols. Octavo. London: 1st ed., Vol. 1, 1841; Vol. 2, 1842; Vol. 3, 1844; Vol. 4, 1845. 2d ed., 1848. 3d ed., 1853. 4th ed., 1858. 5th ed., 1863. 6th ed., 1868. 7th ed., 1874. 8th ed., 1880. 9th ed., 1883. 1oth ed., 1886. 11th ed., 1890. 12th ed., 1895. 13th ed., 1899.
- (First edition reprinted, New York, 4 vols., 1843-46, or was this an importation, with New York imprint?)
- Kerr's Blackstone. 4 vols. Octavo. London. "Adapted to the present state of the law ":-
- 1st ed., 1857. 2d ed., (?) 3d ed., 1862. 4th ed., 1876. Broom & Hadley's Commentaries. 4 vols. Octavo. London, 1869. Reprinted. 2 vols. Notes by Wait. Albany, N. Y., 1875.

English Abridgments of Blackstone.

- Trusler. Summary of Constitutional Law. 12mo. 1790 Dublin.
- Curry. Abridgment, etc. 12mo. London. 1796
- 1809 2d ed. 12mo. London. Barron Field. Analysis, in questions (no answers). 1811 London.
- The same. 2d ed. London. 1817
- The same. 3d ed. London. Reprinted. N. Y. 1823 1823
- Anon. (Wilmot? See 1853, below.) Letters to a Daughter. 12mo. London.
- Gifford—for Students. 12mo. London. 1823
- Wanostrocht. British Constitution for Schools. 1823 12mo. London.
- Smith & Warren. Selections. 12mo. London. 1836
- (reprinted). 12mo. 1854
- 1836-37? Maugham—in 2 volumes (?) 12mo. London. (Warren?) Select Extracts, with Glossary. 12mo. 1839 London.
- (Bayly?) Commentaries. 12mo. London. 1840
- (Sayres?) Synopsis (on a sheet). Folio. London.
- Editors of Law St. Mag. Law Students' First Book. 12mo. London.
- Williams. Compilation and Supplement. 1848 London.
- Wilmot. Letters to a Daughter. New edition. 12mo. London. 1853
- Warren. "Systematically Abridged." 12mo. Lon-
- 1856 The same. 2d edition. 12 mo. London.
- Aird. Blackstone Economized. 12mo. London. 1873
- The same. 2d edition. 12mo. London.
- 1858 Kerr's Students' Blackstone Abridged (Vol. 1 only). 12mo. London. 1st edition.
- The same. 2d edition. The same. New Edition (whole of Blackstone). Lon
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1869 1873 1885. 9th edition. 1890. 11th edition. 1887. 10th edition. 1896, 12th edition. 1870 1877

Comic Blackstones.

1846 A'Beckett (G. A.); illustrated by Cruikshank, 12mo. London. (Reprinted in America-when?) The same, revised by A. W. A'Beckett; illustrated

by Furniss. Octavo. London.

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1774-76 "Commentaries," etc., traduits par M. D. C-Sur la 4me edition. 6 vols. Octavo. Brussels. 1823- Commentaires . . . traduit par Chompré. 6 vols. Octavo. Paris.

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176-? Priestly: Remarks on . . the 4th volume. Octavo. London. Reprinted in Philadelphia, 1773.

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Furneaux: Letters on Toleration. London? 2d edition. 1771

Bentham: Fragment on Government. London. 1776 66 " Reprinted. Dublin. 1776

66 1823 2d ed. London. 1800

Sedgwick: Critical Remarks. Quarto. London.
" " Cotavo. London. 1804 66 " 2d ed. Octavo. London. 1807

Rowe: Vindication against Sedgwick. Octavo. 1806 London.

Miscellany.

1780 Ayres Comparative View of English and Irish Law. 2 vols. Octavo. London.

Douglas: Biographical History of Blackstone, Octavo. London.

Jones: Translation of Quotations. Octavo. London. 1823 Bayley: Commentaries. Octavo. London.

American Editions of Blackstone.

[Was the English quarto edition of 1770 imported in quantity with or without American imprint?

1771-2 4 vols. Reprint from 4th English edition. Octavo. Philadelphia.

Appendix, containing criticisms on Blackstone, etc., published as Vol. 5 of this edition. [In Vol. 5 subscriptions are solicited for another

edition in quarto. Was this published?

1790 4 vols. First Worcester Edition (portrait). 12mo. Worcester, Mass.

1799 4 vols. Second American Edition. 12mo. (Portrait.) Boston.

Jan., 1801 Notes to Blackstone ("Vol. 5") for all editions. [Reprinted from 1797 Dublin edition?]

1803 5 vols. With Notes to Virginia Law, by Tucker. 12mo. Philadelphia.
[1804- 3 vols. Were Wilson's Lectures a Commentary

on Blackstone: — See Hammond's Preface.]

1807 4 vols. Reprint from 14th English Edition. (Portrait.) Octavo. Portland, Me.

1812 4 vols. (?) From last London Edition, by Christian. (Portrait.) Octavo. Boston.

See Notes in Brackenridge's Miscellanies. Phila. 1814 [1818] Was there a reprint of Christian's edition?]

4.6 [1825? " Archbold's " in Phila.?]

1827 2 vols. Notes of Christian, Archbold, Chitty, and Field. Octavo. Philadelphia. [This edition was reprinted with various dates,

1844, 1845, 1850, 1855, etc., but no other changes. 1831 3 vols. Pennsylvania Blackstone, by Reed. Octavo.

Carlisle, Pa.

1832 2 vols. "Chitty's Blackstone," from 19th English Edition, with Notes by Christian, Chitty, and others; and Notes by a Member of the N. Y. Bar. Octavo. New York and Philadelphia.

This reprint has been reissued at various dates. 1843, 1855, 1857, 1861, etc., and is still on the market - apparently reprinted from time to time from the 1832 plates.]

1843-46 4 vols. Reprint or importation of Stephen's Commentaries. See above.

1847 4 vols. Wendell's Blackstone. Octavo. New York. [Reissued, without change, 1850, 1858, and 1862.]

1860 2 vols. Sharswood's Blackstone. Octavo. Phila. [Reissued from the same plates, with new dates, from time to time, and still on the market.]

1870 2 vols. Cooley's Blackstone. Octavo. Chicago. 2d ed., 1872; 3d ed., 1884; 4th ed., 1899.

Reprint of Broom and Hadley. See above. Reprint of Jones's Translations. See above. 1875

1885 4 vols. (or 4 vols. in 2). Hammond's Blackstone. 1890

16mo. San Francisco. 1897 2 vols. Lewis's Blackstone. Octavo. Phila.

American Abridgments.

1809 Anthon: Analytical Abridgment. Octavo. N. Y. 1832 Anthon: Analytical Abridgment. 2d edition. Octavo. Philadelphia.

Beebe; Analysis of Anthon's Abridgment.

Octavo. New York.

Reprint of Field's Abridgment. Octavo. New York. Tucker's Notes for Students. Octavo. т826 chester, Va.

Kinne: Questions and Answers. Octavo. N. Y.

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dates, 1872, 1875, etc.] Dickson: Analysis. Quarto. Philadelphia.

Dunlap's Abridgment. Octavo. St. Louis. Blickensderfer (Law Students' Review). 12mo. 1877 Chicago.

Chase: Student's Blackstone. Octavo. New York. 1884 The same. 2d edition. Octavo. N. Y. 1890 The same. 3d edition. Octavo. N. Y.

1882 Ewell: (Essentials of the Law. Vol. 1.) 12mo. Boston.

1887 (or 1889?) Brewster: Questions and Answers. Octavo. Philadelphia.

1889 Blickensderfer. With charts. Octavo. Chicago. Browne. Condensed with Glossary. Octavo. St. 1892 Paul, Minn.

Blackstone Quizzers. 12mo. Detroit. 1894

Has any reader any other edition, or can he refer to places where other editions have been mentioned?

Is there in print any better bibliography of Blackstone than that in the preface to Hammond's edition?

Are there any other good bibliographies, either in notes, or prefaces, or magazine articles?

Is there any essay or magazine article summarizing the controversies which arose over the first edition?

Is there any essay comparing different editions?

What explanation is there of the duplication of the seventeenth and eighteenth editions?

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MR. JUSTICE HOLMES.

On Dec. 3d the Middlesex Bar bade farewell to Chief Justice Holmes at a dinner, where the speeches—as at most bar dinners—excelled in wit, in sentiment, and in sense. We quote from the most serious part of the proceedings.

Judge Knowlton, who succeeds Judge Holmes as Chief Justice of Massachusetts, said:—

"You all have general knowledge of what Massachusetts will lose when the Chief Justice departs for Washington. His learning in the law, his philosophical insight which discerns the principles on which jurisprudence is founded, and the picturesque literary style in which his legal opinions are written, are familiar to all lawyers. I will not dwell upon that which is well known both in England and America. But the loss to us, his associates on the bench, is known to ourselves alone. His analytical power, which quickly discovers the vital points of a case, his force of argument in presenting his views, the wealth of judicial decision from the best sources with which he reinforces his positions, his readiness to comprehend the arguments of other judges, and his liberality in receiving and weighing them, have made his efforts in the consultation room invaluable to his associates.

"Add to these remarkable facility and untiring industry in writing opinions, and you can see how important a factor he has been in producing such results as the Court has reached. During the three years or more that he has been our Chief Justice, it has seemed to be the one great purpose of his life to make the decisions of the Supreme Judicial Court of Massachusetts the best exposition of law that it was possible to produce. That they have failed to reach his ideal is not for lack of anything he could do or furnish.

"Another phase of his companionship we shall miss more than I can tell. The play of inherited wit and imagination with which from time to time our prosaic work has been enlivened, has given frequent relief to our tired brains. As we have sat down to our task in the consultation room or have separated at the end of it, his sparkling pleasantries and good-natured raillery have dispelled clouds and brought an invigorating atmosphere. Original conceptions clothed in brilliant language have flashed out among us like lightning from a summer cloud. But more important and more tenderly cherished in memory have been the uniform kindness and consideration shown to his associates in the complex and intimate relations that are incident to his official position. There is not one of our number that will not keep in mind special acts of favor in connection with a constant endeavor to deal justly and generously by all. While we rejoice in the honor that comes to him from his promotion, we shall feel our loss in his departure more than you can realize."

To the speeches of farewell, Judge Holmes responded as follows:—

"It is a good deal of a wrench to leave old friends, to leave the memorials of the dead, to leave all the associations of a whole life for an unknown new world

"At this moment the work of twenty years comes up for judgment, and that also is not without its sadness. You are the judges, and even you are more likely to take your views from the accident of your professional needs than from a consideration of any general aspect of a man's work.

"I have tried to see the law as an organic whole. I also have tried to see it as a reaction between tradition on the one side and the changing desires and needs of a community on the other. I have studied tradition in order that I might understand how it came to be what it is, and to estimate its worth with regard to our present needs; and my references to the Year Books often have had a sceptical end. I have considered the present tendencies and desires of society and have tried to realize that its different portions want different things, and that my business

was to express not my personal wish, but the resultant, as nearly as I could guess, of the pressure of the past and the conflicting wills of the present. I have considered the social and economic postulates on which we frame the conception of our needs, and I have tried to see them in a dry light. It has seemed to me that certainty is an illusion, that we have few scientific data on which to affirm that one rule rather than another has the sanction of the universe, that we rarely could be sure that one tends more distinctly than its opposite to the survival and welfare of the society where it is practiced, and than the wisest are but blind guides.

"But we have a great body of law which has at least this sanction, that it exists. If one does not affirm that it is intrinsically better than a different body of principles which one could imagine, one can see an advantage which, if not the greatest, at least, is very great—that we know what it is. For this reason I am slow to assent to overruling a decision. Precisely my skepticism, my doubt as to the absolute worth of a large part of the system we administer, or of any other system, makes me very unwilling to increase the doubt as to what the court will do. I have noticed the opposite tendency in minds that regarded our corpus juris as an image, however faint, of the eternal law.

"As I have said, I have felt very sad at the thought of all that I leave, and sad with the wonder whether the work of twenty years, on which I have spent the passion of my heart, will be adjudged to have been nobly done. I have felt sad, too, with a different sadness in thinking of the future. It is an adventure into the unknown. No man can go far who never sets down his foot until he knows that the sidewalk is under it. But, gentlemen, it is a great adventure, and that thought brings with it a mighty joy. To have the chance to do one's share in shaping the laws of the whole country spreads over one the hush that one used to feel when one was awaiting the beginning of a battle. One does not forget the danger, but if victory should come! Victory shall come - with that thought the personal apprehension grows dim. The forces of one's soul rally and gather to a point. One looks down the line and catches the eye of friendshe waves his sword - it may be the last time for him or thembut the advance is about to begin. The troops are deployed. They will follow their leader. We will not falter, we will not fail. We will reach the earthworks if we live, and if we fall we will leave our spirit in those who follow, and they will not turn back. All is ready. Bugler, blow the charge!"

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THE GREEN BAG for January, 1903 (price 50 cents—subscription, \$4.00 per year), has an excellent full-page portrait of the new United States Supreme Court judge as a frontispiece, together with a biographical sketch and discriminating comment on his legal ability.

PUZZLING CITATIONS.

Do you not often run across citations which you cannot make out? If so, you should use the little desk manual called "ABBREVIATIONS USED IN LAW BOOKS" (sheep, \$1.50), which contains a fuller and clearer explanation of legal abbreviations (incorrect as well as correct) than you can find elsewhere.

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An interleaved copy of this edition has just come into our hands, with the name of John Rayner crossed out (with ink) on p. viii., and with this note appended:—

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